

PUBLIC HEALTH REPORTS

VOL. 30

NOVEMBER 12, 1915

No. 46

DENGUE AND SEVEN-DAY FEVER PRESENT AT SAN JUAN, P. R.

On October 4 the representative of the Public Health Service at San Juan, P. R., reported by telegraph that there were rumors of the presence of yellow fever in San Juan, but that he had seen the cases and did not believe the diagnosis to be justified. The Insular Board of Health of Porto Rico, after investigation, also did not believe the cases to be yellow fever. That the disease was not yellow fever was concurred in by Surg. King, of the Public Health Service, who arrived at San Juan October 14. Later Dr. King reported that the supposed yellow-fever cases were in part dengue, which was probably epidemic, and in part cases of similar fevers.

Asst. Surg. Gen. Carter, of the Public Health Service, who has been associated with the diagnosis and control of yellow fever over a period of many years, was sent to San Juan. On November 5, immediately after his arrival, he cabled that he did not believe the disease was yellow fever, and on November 9, after making a most complete examination, he telegraphed that there was no yellow fever in San Juan, but that there were a number of cases of dengue and seven-day fever.

PHYSICAL EXAMINATION OF SCHOOL CHILDREN.

A JUDICIAL DECISION HOLDING THAT SCHOOL BOARDS MAY REQUIRE A PHYSICIAN'S REPORT AS A PREREQUISITE TO ADMISSION TO SCHOOL.

For several years there has been in force in the schools of Aberdeen, S. Dak., a regulation requiring that each child seeking admission into the schools must furnish a "physical record card," signed by a physician, giving certain information relative to the physical condition of the child. This report might be made by a physician employed by the parent, but if none was furnished the child was examined and the report made by the school physician.

The Supreme Court of South Dakota decided that the regulation was reasonable and valid, that it did not unlawfully bar any pupil from the schools, and that the school board had authority to adopt it. The opinion of the court is published in full at page 3361 of this issue of the Public Health Reports.

EXPERIMENTAL PELLAGRA IN THE HUMAN SUBJECT BROUGHT ABOUT BY A RESTRICTED DIET.

By JOSEPH GOLDBERGER, Surgeon, and G. A. WHEELER, Assistant Surgeon, United States Public Health Service.

In this communication we present a brief outline, with the results, of an experiment planned to test the possibility of producing pellagra in the healthy human, white, adult male, by a restricted, one-sided, mainly carbohydrate (cereal) diet.

The experiment was carried out at the farm of the Mississippi State Penitentiary, about 8 miles east of Jackson, Miss. At about the center of this farm of some 3,200 acres, well isolated from the surrounding communities, is the "camp," consisting of a group of frame buildings, including the cottages of the officials, the "cage," "new hospital," barns, stables, etc. Dr. A. G. McLaurin, the prison physician, informs us that there is no history of the occurrence or presence of pellagra on this farm.

During the period of the experiment there have been quartered at this "camp" an average of between 70 and 80 convicts, all white males. Included in this number were 12 who, accepting the offer of a pardon made them by Gov. Brewer and with the assurance of proper care and treatment should such be needed, volunteered to submit themselves to the experiment. White adult males were selected because, judged by the incidence in the population at large, these would seem to be least susceptible to the disease.

Experiment.

The volunteer squad of 12 men was organized between February 1 and February 4, 1915. On July 1, 1915, one of the volunteers was released because of the development of a prostatitis. This left 11 men in the squad, 24 to 50 years of age, who have remained in the test, on the prescribed diet, to its termination, October 31, 1915. These men were quartered in the so-called "new hospital building," a small, screened, one-storied cottage, about 500 feet from the "cage" in which the other convicts were domiciled. This cottage had previously been used as the quarters for the "assistant sergeant" of the "camp." From the time of its organization this squad was strictly segregated and under guard day and night.

From February 4 to April 19, 1915, these men were kept under observation without any change being made in their diet. Having detected no evidence of pellagra during this preliminary observation period and having established the desired routine of work and discipline, the diet was changed at noon April 19, 1915. The character of the experimental diet is shown by the following menu:

BILL OF FARE, WEEK ENDED AUGUST 8, 1915.

August 2.

Breakfast: Biscuits, fried mush, grits and brown gravy, sirup, coffee with sugar.

Dinner: Corn bread, cabbage, sweet potatoes, grits, sirup.

Supper: Fried mush, biscuits, rice, gravy, cane sirup, coffee, sugar.

August 3.

Breakfast: Biscuits, mush, rice, gravy, sirup, coffee, sugar.

Dinner: Corn bread, collards, sweet potatoes, grits, sirup.

Supper: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

August 4.

Breakfast: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

Dinner: Corn bread, collards, sweet potatoes, rice, sirup.

Supper: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

August 5.

Breakfast: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

Dinner: Corn bread, collards, sweet potatoes, grits, sirup.

Supper: Biscuits, mush, rice, gravy, sirup, coffee, sugar.

August 6.

Breakfast: Biscuits, mush, rice, gravy, sirup, coffee, sugar.

Dinner: Corn bread, collards, sweet potatoes, grits, sirup.

Supper: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

August 7.

Breakfast: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

Dinner: Corn bread, collards, sweet potatoes, rice, sirup.

Supper: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

August 8.

Breakfast: Biscuits, mush, grits, gravy, sirup, coffee, sugar.

Dinner: Corn bread, collards, sweet potatoes, grits, sirup.

Supper: Biscuits, mush, rice, gravy, sirup, coffee, sugar.

The quantities of the different articles of food consumed during the above-named week were as follows:

Biscuits, 41.81 pounds; corn bread, 24.56 pounds; grits, 27.06 pounds; rice, 24.25 pounds; fried mush, 33.87 pounds; brown gravy, 37.81 pounds; sweet potatoes, 23.62 pounds; cabbage, 4.25 pounds; collards, 23.75 pounds; cane sirup, 5.94 pounds, making a total of 255.67 pounds of food consumed during the week, or 3.32 pounds per man per day, having a caloric value of 2,952 calories per man per day. The sugar was white granulated, the sirup a "homemade" cane sirup. No vegetable fats entered into the diet. The corn meal and grits were of the best quality obtainable in the local market and the same as used at one of the orphanages ("M. J."), Jackson, Miss., at which a feeding experiment to prevent pellagra was conducted and at which no pellagra occurred this year.¹

¹ Public Health Reports, Oct. 22, 1915.

The character of the labor performed by these men during this same week may be judged by the following: Whitewashing fences and buildings, $2\frac{1}{2}$ days; sawing lumber (ram sawmill), 2 days; rest, $2\frac{1}{2}$ days.

Controls.—The entire population of the "camp" was kept under observation. We have, however, given special attention to the group of convicts who were not "trusties" when the experiment was begun; 20 of these have remained under continuous medical surveillance, comparable to that of the volunteers, throughout the whole period of the experiment.

Work.—The volunteers kept about the same hours and did about the same kind and the same amount of work as the other convicts. Such differences as existed were in favor of the volunteers, especially during the latter portion of the experimental period.

Hygiene.—The general sanitary environment was the same for volunteers and controls, but the hygienic environment—personal cleanliness, cleanliness of quarters, freedom from insects, particularly bedbugs—was decidedly in favor of the volunteers.

Results.

Of the 11 volunteers, not less than 6 developed symptoms, including a "typical" dermatitis, justifying a diagnosis of pellagra. The nervous and gastro-intestinal symptoms were mild but distinct. The dermatitis was first noted between September 12 and September 24, 1915, or not later than five months after the beginning of the restricted diet. It is of great interest to note that in all our cases the skin lesions were first recognized on the scrotum. Later there appeared lesions on the backs of the hands in two cases and the back of the neck in one case. The scrotal lesions conformed to the type described and figured by Merk.¹ This experience would suggest that the scrotal lesion is a much more common early skin manifestation than has heretofore been believed. It would probably have escaped us but for the fact that it was our routine to examine these men, and the special control group, completely stripped.

No person in the "camp" not of the volunteer squad has presented evidence justifying even a suspicion of pellagra.

The diagnosis in the above cases was concurred in by Dr. E. H. Galloway, secretary Mississippi State Board of Health, and Dr. Nolan Stewart, formerly superintendent Mississippi State Hospital for Insane, at Jackson, Miss.

We are very greatly indebted to Dr. Marcus Haase, professor of dermatology, Medical College of the University of Tennessee, Memphis, Tenn., and to Dr. Martin F. Engman, professor of dermatology in the

¹ Merk (Ludwig), *Die Hauterscheinungen der Pellagra*. Innsbruck, 1909, p. 24, fig. 6.

Washington University Medical School, St. Louis, Mo., for assistance in excluding the other known dermatoses.

Conclusion.

The conclusion is drawn that pellagra has been caused in at least 6 of 11 volunteers as the result of the restricted diet on which they subsisted.

Acknowledgments.

The above experiment was made possible by the cooperation of Gov. Brewer, whose interest was enlisted by the intervention of Dr. Galloway. To these gentlemen acknowledgments are due and are here made for their invaluable assistance.

PLAGUE-PREVENTION WORK.

CALIFORNIA.

The following report of plague-prevention work in California for the week ended October 23, 1915, has been received from Senior Surg. Pierce, of the United States Public Health Service, in charge of the work:

SAN FRANCISCO, CAL.

RAT PROOFING.		OPERATIONS ON THE WATER FRONT.	
New buildings:		Vessels inspected for rat guards.....	17
Inspections of work under construction.	177	Reinspections made on vessels.....	31
Basements concreted (square feet, 47,130).....	80	New rat guards procured.....	18
Floors concreted (square feet, 99,432).....	34	Defective rat guards repaired.....	13
Yards, passageways, etc. (square feet, 35,956).....	95	Rats trapped on wharves and water front..	43
Total area concrete laid (square feet).....	182,518	Rats trapped on vessels.....	26
Class A, B, and C (fireproof) buildings:		Traps set on wharves and water front.....	170
Inspections made.....	165	Traps set on vessels.....	76
Roof and basement ventilators, etc., screened.....	3,608	Vessels trapped on.....	16
Wire screening used (square feet).....	17,766	Poisons placed on water front.....	3,600
Openings around pipes, etc., closed with cement.....	2,834	Poisons placed within Panama-Pacific International Exposition Grounds.....	7,200
Sidewalk lens lights replaced.....	4,980	Bait used on water front and vessels, bacon (pounds).....	6
Old buildings:		Amount of bread used in poisoning water front (loaves).....	12
Inspections made.....	465	Poison used on water front (pounds).....	6
Wooden floors removed.....	28	RATS COLLECTED AND EXAMINED FOR PLAGUE.	
Yards and passageways, planking removed.....	13	Collected.....	427
Cubic feet new foundation walls installed.....	6,815	Examined.....	237
Concrete floors installed (square feet, 47,406).....	45	Found infected.....	None.
Basements concreted (square feet, 23,815).....	25	RATS IDENTIFIED.	
Yards and passageways, etc., concreted (square feet, 18,063).....	71	Mus norvegicus.....	214
Total area concrete laid (square feet).....	89,284	Mus musculus.....	91
Floors rat proofed with wire cloth (square feet, 6,325).....	5	Mus alexandrinus.....	75
Buildings razed.....	14	Mus rattus.....	47
Garbage cans stamped approved.....	250	SQUIRRELS COLLECTED AND EXAMINED FOR PLAGUE.	
Nuisances abated.....	374	Contra Costa County.....	171
		Found infected.....	None.
		RANCHES INSPECTED AND HUNTED OVER.	
		Contra Costa County.....	25

Record of plague infection.

Places in California.	Date of last case of human plague.	Date of last case of rat plague.	Date of last case of squirrel plague.	Total number rodents found infected since May, 1907.
Cities:				
San Francisco.....	Jan. 30, 1908	Oct. 23, 1908	(1)	398 rats.
Oakland.....	Aug. 8, 1911	Dec. 1, 1903	(1)	126 rats.
Berkeley.....	Aug. 28, 1907	(1)	(1)	(1).
Los Angeles.....	Aug. 11, 1908	(1)	Aug. 21, 1908	1 squirrel.
Counties:				
Alameda (exclusive of Oakland and Berkeley).....	Sept. 24, 1909	Oct. 17, 1909 ²	July 12, 1915	287 squirrels, 1 wood rat.
Contra Costa.....	July 13, 1915	(1)	Sept. 16, 1915	1,594 squirrels.
Fresno.....	(1)	(1)	Oct. 27, 1911	1 squirrel.
Merced.....	(1)	(1)	July 12, 1911	5 squirrels.
Monterey.....	(1)	(1)	Apr. 10, 1914	6 squirrels.
San Benito.....	June 4, 1913	(1)	Aug. 14, 1915	50 squirrels.
San Joaquin.....	Sept. 18, 1911	(1)	Aug. 26, 1911	18 squirrels.
San Luis Obispo.....	(1)	(1)	Jan. 29, 1910	1 squirrel.
Santa Clara.....	Aug. 31, 1910	(1)	July 23, 1913	25 squirrels.
Santa Cruz.....	(1)	(1)	May 17, 1910	3 squirrels.
Stanislaus.....	(1)	(1)	June 2, 1911	13 squirrels.

¹ None.² Wood rat.

The work is being carried on in the following-named counties: Alameda, Contra Costa, San Francisco, Stanislaus, San Benito, and Monterey.

LOUISIANA—NEW ORLEANS—PLAGUE ERADICATION.

The following report of plague-eradication work at New Orleans for the week ended October 30, 1915, was received from Surg. Creel, of the United States Public Health Service, in charge of the work:

OUTGOING QUARANTINE.		BUILDINGS RAT PROOFED—continued.	
Vessels fumigated with sulphur.....	12	By concrete floor and wall.....	47
Vessels fumigated with carbon monoxide....	17	By minor repairs.....	158
Vessels fumigated with cyanide gas.....	3	Total buildings rat proofed.....	316
Sulphur used (pounds).....	930	Concrete laid (square yards).....	4,883
Coke consumed in carbon monoxide fumigation (pounds).....	25,800	Lots and sheds, planking removed.....	16
Cyanide used in cyanide-gas fumigation (pounds).....	154	Buildings demolished.....	43
Sulphuric acid used in cyanide-gas fumigation (pints).....	154	Total buildings rat proofed to date (abated).....	94,095
Clean bills of health issued.....	35	LABORATORY OPERATIONS.	
Foul bills of health issued.....	1	Rodents received by species:	
FIELD OPERATIONS.		Mus rattus.....	185
Rats trapped.....	8,048	Mus norvegicus.....	1,009
Premises inspected.....	7,752	Mus alexandrinus.....	188
Notices served.....	1,198	Mus musculus.....	6,430
Garbage cans installed.....	127	Wood rats.....	49
BUILDINGS RAT PROOFED.		Muskrats.....	14
By elevation.....	64	Putrid (included in enumeration of species).....	68
By marginal concrete wall.....	47	Total rodents received at laboratory.....	7,875
		Rodents examined.....	1,801
		Suspicious rats.....	13
		Plague rats confirmed.....	2

PLAGUE RATS.

Case No.	Address.	Captured.	Diagnosis confirmed.	Treatment of premises.
263	Jordan Avenue and Dorgenois Street.	Oct. 17, 1915	Oct. 29, 1915	Intensive trapping.
264	4811 Magazine Street.....	Oct. 14, 1915	Oct. 30, 1915	Intensive trapping; expedition of rat proofing in environment.

Number of human plague cases.....	None.	Total cases of rodent plague to Oct. 30, by species:	
Last case of human plague, Sept. 8, 1915.		<i>Mus musculus</i>	5
Last case of rodent plague, Oct. 30, 1915.		<i>Mus rattus</i>	18
Total number of rodents captured to Oct. 30.....	482,160	<i>Mus alexandrinus</i>	8
30.....		<i>Mus norvegicus</i>	233
Total number of rodents examined to Oct. 30.....	296,957	Total rodent cases to Oct. 30, 1915.....	264

WASHINGTON—SEATTLE—PLAGUE ERADICATION.

The following report of plague-eradication work at Seattle for the week ended October 23, 1915, was received from Surg. Lloyd, of the United States Public Health Service, in charge of the work:

RAT PROOFING.

New buildings inspected.....	27
New buildings reinspected.....	28
Basements concreted, new buildings (square feet, 12,490).....	12
Floors concreted, new buildings (square feet, 7,775).....	8
Yards, etc., concreted, new structures (square feet, 1,750).....	2
Sidewalks concreted (square feet).....	6,725
Total concrete laid, new structures (square feet).....	28,740
New buildings elevated.....	5
New premises rat proofed, concrete.....	22
Buildings razed.....	4

LABORATORY AND RODENT OPERATIONS.

Dead rodents received.....	22
Rodents trapped and killed.....	453
Rodents recovered after fumigation.....	19

Total..... 494

Rodents examined for plague infection.....	365
Poison distributed..... pounds..	25
Bodies examined for plague infection.....	2

CLASSIFICATION OF RODENTS.

<i>Mus rattus</i>	26
<i>Mus alexandrinus</i>	106
<i>Mus norvegicus</i>	262
<i>Mus musculus</i>	100

WATER FRONT.

Vessels inspected and histories recorded.....	12
Vessels fumigated.....	1

WATER FRONT—continued.

Sulphur used (pounds).....	4,000
New rat guards installed.....	8
Defective rat guards repaired.....	32
Fumigation certificates issued.....	1
Port sanitary statements issued.....	48
The usual day and night patrol was maintained to enforce rat guarding and fending.	

MISCELLANEOUS WORK.

Rat-proofing notices sent to contractors, new buildings.....	13
Letters sent in re rat complaints.....	5

RODENTS EXAMINED IN EVERETT.

<i>Mus norvegicus</i> trapped.....	53
<i>Mus musculus</i> trapped.....	1
Total.....	54
Rodents examined for plague infection.....	49
Rodents proven plague infected.....	None.

RAT-PROOFING OPERATIONS IN EVERETT.

New buildings:	
Inspected.....	8
Concrete foundations.....	7
Elevated 18 inches.....	1
Basements concreted (square feet, 900).....	1
Floors concreted (square feet, 2,880).....	1
Yards concreted (square feet, 5,042).....	3
Total concrete laid, new structures (square feet).....	8,822
Old building basements concreted (square feet, 560).....	1

HAWAII—PLAGUE PREVENTION.

The following reports of plague-prevention work in Hawaii were received from Surg. Trotter, of the United States Public Health Service:

Honolulu.

WEEK ENDED OCT. 16, 1915.

Total rats and mongoose taken.....	316	Average number of traps set daily.....	984
Rats trapped.....	273	Cost per rat destroyed, 23½ cents.	
Mongoose trapped.....	7	Last case rat plague, Aiea, 9 miles from Honolulu,	
Rats shot from trees.....	36	Apr. 12, 1910.	
Examined microscopically.....	251	Last case human plague, Honolulu, July 12, 1910.	
Showing plague infection.....	None.	Last case rat plague, Kalopa stable, Paauhau,	
Classification of rats trapped:		Hawaii, Aug. 29, 1914.	
<i>Mus alexandrinus</i>	159	Last case human plague, Paauhau Landing, Ha-	
<i>Mus musculus</i>	81	waii, Aug. 16, 1914.	
<i>Mus norvegicus</i>	26		
<i>Mus rattus</i>	7		
Classification of rats shot from trees:			
<i>Mus alexandrinus</i>	32		
<i>Mus rattus</i>	4		

Hilo.

WEEK ENDED OCT. 9, 1915.

Rats and mongoose taken.....	3,133	Classification of rats trapped and found	
Rats trapped.....	3,090	dead—Continued.	
Rats found dead.....	1	<i>Mus rattus</i>	577
Mongoose taken.....	42	<i>Mus musculus</i>	1,778
Rats and mongoose examined macroscopically.....	3,133	Last case of rat plague, Paauhau Sugar Co., Aug.	
Rats and mongoose plague infected.....	0	29, 1914.	
Classification of rats trapped and found dead:		Last case of human plague, Paauhau Sugar Co.,	
<i>Mus norvegicus</i>	480	Aug. 16, 1914.	
<i>Mus alexandrinus</i>	256		

PREVALENCE OF DISEASE.

No health department, State or local, can effectively prevent or control disease without knowledge of when, where, and under what conditions cases are occurring.

IN CERTAIN STATES AND CITIES.

ANTHRAX.

Oklahoma—Enid.

Dr. J. H. Mahoney reported by telegraph November 1, 1915, that a case of anthrax in man had occurred at Enid, Okla.

CEREBROSPINAL MENINGITIS.

City Reports for Week Ended Oct. 23, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Boston, Mass.....	1	1	Lawrence, Mass.....	1	1
Chicago, Ill.....	1	1	Milwaukee, Wis.....	1	1
Cleveland, Ohio.....	1	1	New York, N. Y.....	4	1
Columbus, Ohio.....	1	1	Philadelphia, Pa.....	1	1
Danville, Ill.....	1	1	Portland, Oreg.....	1	1
Detroit, Mich.....	5	1	Rochester, N. Y.....	1	1
Elizabeth, N. J.....	35	1	St. Louis, Mo.....	1	1
Jersey City, N. J.....	1	1	Washington, D. C.....	1	1
Johnstown, Pa.....	1	1			

DENGUE.

Texas—Laredo.

Acting Asst. Surg. Hamilton reported November 4, 1915, that dengue existed in Laredo, Tex., in epidemic form.

DIPHTHERIA.

California—San Diego.

Surg. Carrington reported that during the four-weeks' period ended October 23, 1915, 42 cases of diphtheria, with 1 death, were notified in San Diego, Cal.

See also Diphtheria, measles, scarlet fever, and tuberculosis, page 3348.

ERYSIPELAS.**City Reports for Week Ended Oct. 23, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Brockton, Mass.....	1	.....	Johnstown, Pa.....	2	.....
Buffalo, N. Y.....	2	.....	New York, N. Y.....	.....	6
Chicago, Ill.....	13	.....	Passaic, N. J.....	1	.....
Cleveland, Ohio.....	4	.....	Philadelphia, Pa.....	2	.....
Detroit, Mich.....	6	2	Portland, Oreg.....	1	.....
Evansville, Ind.....	.....	1	St. Louis, Mo.....	3	.....
Hartford, Conn.....	1	.....		

MALARIA.**Summary of Malarial Investigations—First Quarter, 1915.**

Surg. von Ezdorf submits the following statement of cases of malaria reported during the first quarter of 1915 on reply postal cards sent to all practicing physicians in the States included:

State.	Inquiry cards sent to physicians.	Replies received.	Counties not heard from.	Counties represented in replies.	Cases of malaria reported.
Alabama.....	7,050	926	0	67	1,168
Arkansas.....	6,900	1,248	1	74	2,359
Kentucky.....	10,500	1,798	0	120	860
Louisiana.....	7,500	692	2	63	1,456
North Carolina.....	5,547	780	9	91	820
South Carolina.....	3,825	611	1	43	763
Tennessee.....	10,014	1,137	7	89	572

City Reports for Week Ended Oct. 23, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Berkeley, Cal.....	1	.....	Little Rock, Ark.....	2	.....
Charleston, S. C.....	.....	1	New Orleans, La.....	.....	2
Cleveland, Ohio.....	1	.....	Stockton, Cal.....	1	.....
Dallas, Tex.....	7	.....	Toledo, Ohio.....	.....	1
Galveston, Tex.....	.....	3			

MEASLES.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 3348.

PELLAGRA.**City Reports for Week Ended Oct. 23, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Dallas, Tex.....	1	.....	New Orleans, La.....	.....	1
Galveston, Tex.....	.....	1	Richmond, Va.....	.....	1
Nashville, Tenn.....	3	.....	Wilmington, N. C.....	1	1

PLAGUE.**Hawaii—Paauilo Camp.**

Surg. Trotter reported by telegraph that a fatal case of plague occurred in Paauilo Camp, Hawaii, October 30, 1915.

Louisiana—New Orleans—Plague-Infected Rats Found.

Surg. Creel reported that 3 plague-infected rats had been found in New Orleans, La. One of these rats was trapped October 17, 1915, at Jordan Avenue and North Dorgenois Street, and was proven positive for plague infection October 29, 1915; another was captured October 14, 1915, at 4811 Magazine Street, and was proven positive for plague infection October 30, 1915; the third, trapped October 29, 1915, at No. 1015 Carrollton Avenue, was proven plague-infected November 4, 1915.

Washington—Seattle—Plague-Infected Rat Found.

Surg. Lloyd reported by telegraph November 7, 1915, that a plague-infected rat had been found at Pine Street and Pike Place, Seattle, Wash.

PNEUMONIA.**City Reports for Week Ended Oct. 23, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Binghamton, N. Y.	2	.....	Los Angeles, Cal.	3	1
Chicago, Ill.	91	47	Newport, Ky.	1	1
Cleveland, Ohio	19	13	Philadelphia, Pa.	19	32
Dayton, Ohio	1	2	Reading, Pa.	2	1
Detroit, Mich.	5	7	Rutland, Vt.	1	1
Grand Rapids, Mich.	3	2	Sacramento, Cal.	1	1
Harrisburg, Pa.	3	2	Steubenville, Ohio	1	.....
Kalamazoo, Mich.	1	.....	Toledo, Ohio	1	2

POLIOMYELITIS (INFANTILE PARALYSIS).**City Reports for Week Ended Oct. 23, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio	2	1	Hartford, Conn.	1	.....
Buffalo, N. Y.	2	.....	Lorain, Ohio	1	.....
Chicago, Ill.	1	.....	Lowell, Mass.	1	.....
Cincinnati, Ohio	1	.....	New York, N. Y.	5	.....
Cleveland, Ohio	7	1	Rochester, N. Y.	1	1
Dayton, Ohio	1	.....	Somerville, Mass.	1	.....
Erie, Pa.	3	.....	Washington, D. C.	1	.....
Fitchburg, Mass.	1	.....		

RABIES.**City Reports for Week Ended Oct. 23, 1915.**

During the week ended October 23, 1915, rabies was notified in cities as follows: Chicago, Ill., 1 death; Cleveland, Ohio, 1 case.

SCARLET FEVER.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 3348.

SMALLPOX.**California—Imperial County.**

Acting Asst. Surg. Richter reported by telegraph that during the week ended November 6, 1915, one case of smallpox was notified in Imperial County, Cal.

Kansas.

Collaborating Epidemiologist Crumbine reported that during the week ended October 30, 1915, cases of smallpox were notified in counties of Kansas as follows: Butler, 1; Labette, 5; Marion, 2; Montgomery, 1; Rooks, 8; Sedgwick, 1; making a total of 18 cases reported during the week named.

Minnesota.

Collaborating Epidemiologist Bracken reported by telegraph that during the week ended November 6, 1915, four new foci of smallpox infection were reported in Minnesota, cases of the disease having been notified as follows: Faribault County, Brice lyn, 1; Redwood County, Bellevue, 1, Kintire Township, 1; Yellow Medicine County, Stony Run Township, 1.

Washington—Seattle—On a Steamship.

Surg. Lloyd reported by telegraph November 9, 1915, that a case of smallpox had occurred on the steamship *Governor*, plying between San Francisco and Seattle.

City Reports for Week Ended Oct. 23, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Butte, Mont.....	4	.....	Evansville, Ind.....	1	.....
Davenport, Iowa.....	4	.....	Milwaukee, Wis.....	2	.....
Detroit, Mich.....	1	.....	Springfield, Ill.....	5	.....

TETANUS.**City Reports for Week Ended Oct. 23, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio.....	1	.....	Detroit, Mich.....	1	1
Alameda, Cal.....	.....	1	New York, N. Y.....	1	3
Dayton, Ohio.....	1	1			

TRACHOMA.

Kentucky.

Surg. McMullen reported that in an examination, principally of school children, made during the period from October 17 to 27, 1915, in certain cities of Kentucky a total of 4,020 persons were examined, among whom 290 cases of trachoma were found. In Henderson 1,565 school children were examined and 81 cases of trachoma found; in Hopkinsville, 850 examinations with 46 cases; in Mayfield, 75 examinations with 4 cases; in Owensboro, 732 examinations with 62 cases; and in Paducah, 798 examinations with 97 cases.

TUBERCULOSIS.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 3348.

TYPHOID FEVER.

City Reports for Week Ended Oct. 23, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio.....	7	.....	Los Angeles, Cal.....	3	.....
Atlantic City, N. J.....	1	.....	Lowell, Mass.....	7	1
Baltimore, Md.....	45	1	Lynn, Mass.....	1	.....
Bayonne, N. J.....	2	.....	Malden, Mass.....	1	.....
Binghamton, N. Y.....	2	.....	Medford, Mass.....	2	.....
Boston, Mass.....	11	.....	Milwaukee, Wis.....	1	.....
Bridgeport, Conn.....	3	.....	Morristown, N. J.....	1	.....
Brockton, Mass.....	4	1	Nashville, Tenn.....	19	1
Buffalo, N. Y.....	10	2	New Bedford, Mass.....	11	2
Butler, Pa.....	7	1	New Castle, Pa.....	1	.....
Camden, N. J.....	2	.....	New Haven, Conn.....	8	.....
Charleston, S. C.....	3	.....	New London, Conn.....	1	.....
Chelsea, Mass.....	2	.....	New Orleans, La.....	4	2
Chicago, Ill.....	31	2	New York, N. Y.....	126	8
Cincinnati, Ohio.....	3	.....	North Adams, Mass.....	1	.....
Cleveland, Ohio.....	12	2	Pawtucket, R. I.....	1	.....
Coffeyville, Kans.....	1	.....	Perth Amboy, N. J.....	3	.....
Columbus, Ohio.....	1	.....	Philadelphia, Pa.....	35	7
Concord, N. H.....	2	.....	Pittsfield, Mass.....	1	.....
Cumberland, Md.....	2	.....	Portsmouth, Va.....	.....	1
Dallas, Tex.....	4	1	Providence, R. I.....	8	.....
Danville, Ill.....	3	.....	Reading, Pa.....	6	1
Dayton, Ohio.....	2	.....	Richmond, Va.....	10	1
Detroit, Mich.....	18	1	Roanoke, Va.....	4	.....
Dubuque, Iowa.....	1	1	Rochester, N. Y.....	2	.....
Duluth, Minn.....	1	.....	Rockford, Ill.....	1	.....
Elsin, Ill.....	1	.....	Rutland, Vt.....	1	.....
Elizabeth, N. J.....	5	.....	Sacramento, Cal.....	.....	1
Evansville, Ind.....	6	.....	Saginaw, Mich.....	5	.....
Everett, Mass.....	1	.....	St. Louis, Mo.....	8	2
Fall River, Mass.....	10	2	Salt Lake City, Utah.....	2	.....
Galveston, Tex.....	7	.....	San Diego, Cal.....	2	.....
Grand Rapids, Mich.....	2	.....	Seattle, Wash.....	.....	2
Harrisburg, Pa.....	.....	1	Somerville, Mass.....	1	2
Hartford, Conn.....	2	1	Springfield, Ill.....	4	.....
Jersey City, N. J.....	2	.....	Steubenville, Ohio.....	1	.....
Johnstown, Pa.....	5	3	Tacoma, Wash.....	1	.....
Kalamazoo, Mich.....	1	.....	Taunton, Mass.....	1	.....
Kearny, N. J.....	1	.....	Toledo, Ohio.....	12	.....
Kenosha, Wis.....	1	.....	Trenton, N. J.....	4	.....
Lancaster, Pa.....	2	.....	Washington, D. C.....	15	3
Lawrence, Mass.....	3	.....	Williamsport, Pa.....	1	.....
Lexington, Ky.....	1	1	Worcester, Mass.....	4	.....
Lincoln, Nebr.....	1	.....	York, Pa.....	15	.....
Little Rock, Ark.....	2	.....	Zanesville, Ohio.....	1	.....
Lorain, Ohio.....	1	1			

YELLOW FEVER.

Canal Zone—Balboa Quarantine.

A case of yellow fever arrived October 25, 1915, at Balboa quarantine, Canal Zone, on the steamship *Jamaica* from Buenaventura, Colombia. The patient had been in Buenaventura two weeks and was taken sick October 23 before sailing. The case was reported October 29, 1915, as having been carefully isolated since arrival. A previous case of yellow fever developed at Balboa quarantine September 27, 1915, in a person arrived from Buenaventura.¹

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS.

City Reports for Week Ended Oct. 23, 1915.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Over 500,000 inhabitants:										
Baltimore, Md.	584,605	165	26	2	5	17	2	21	22	
Boston, Mass.	745,139	179	42	2	16	27		45	12	
Chicago, Ill.	2,447,045	533	125	15	61	1	55	1	272	61
Cleveland, Ohio.	656,975	184	58	8	17	16	1	31	11	
Detroit, Mich.	554,717	142	44	1	1	9		34	5	
New York, N. Y.	5,468,190	1,296	258	11	83	1	50	431	147	
Philadelphia, Pa.	1,683,664	410	71	7	23	10		89	43	
St. Louis, Mo.	745,988	180	105	3	3	10		31	3	
From 300,000 to 500,000 inhabit- ants:										
Buffalo, N. Y.	461,335	127	26	2	137	2	15	1	31	11
Cincinnati, Ohio.	403,706	107	33	2	4	10	1	23	15	
Jersey City, N. J.	300,133	76	20		12	2	1	26	4	
Los Angeles, Cal.	465,367	120	17		1	6		148	17	
Milwaukee, Wis.	428,032	90	20	2	11	2		18	5	
New Orleans, La.	366,484	144	54	2		3		50	22	
Seattle, Wash.	330,834	45	2			2		10	2	
Washington, D. C.	358,679	123	16	2	6	7		22	10	
From 200,000 to 300,000 inhabit- ants:										
Columbus, Ohio.	209,722	71	50	2		12		7	5	
Portland, Oreg.	272,833	36	7		2	9		4	1	
Providence, R. I.	250,025	53	7	1	2	12			6	
Rochester, N. Y.	250,747	58	6	1	7	3		8	5	
From 100,000 to 200,000 inhabit- ants:										
Bridgeport, Conn.	118,434	24	5	1		3		9		
Cambridge, Mass.	111,609	34	4			2		7	5	
Camden, N. J.	104,349		3			1		7		
Dallas, Tex.	116,605		4		1	7		1	1	
Dayton, Ohio.	125,509	25	7			13		2	1	
Fall River, Mass.	125,094	44	3	1		6		7	1	
Grand Rapids, Mich.	125,759	40	1	1	1			8	2	
Hartford, Conn.	108,969	36	7	1				4		
Lowell, Mass.	112,124	30	6	1		1		2	2	
Lynn, Mass.	100,316	22	3		2	3		3	3	
Nashville, Tenn.	115,978	39	5	1		4		2	5	
New Bedford, Mass.	114,694	30	2	1	2	2		3	4	
New Haven, Conn.	147,095		15			3		2	1	
Reading, Pa.	105,094	27			28			1		
Richmond, Va.	154,674	54	19	1		3		2	2	
Salt Lake City, Utah.	113,567	26	4	1	2	1			1	
Springfield, Mass.	103,216	19	6		6	1		3	1	
Tacoma, Wash.	108,094		3					1		
Toledo, Ohio.	187,840	43	18		1	9		22	8	
Trenton, N. J.	109,212	33	7		23	2		6	1	
Worcester, Mass.	100,523	50	5		2	1		8	4	

¹Public Health Reports, Oct. 15, 1915, p. 3083.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Contd.

City Reports for Week Ended Oct. 23, 1915—Continued.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 50,000 to 100,000 inhabit- ants:										
Akron, Ohio.....	82,958	26	1				3		1	1
Atlantic City, N. J.....	55,806	8							4	
Bayonne, N. J.....	67,582	20	4	1	2		1		6	1
Berkeley, Cal.....	54,879	3					1			1
Binghamton, N. Y.....	53,082	14	2						4	1
Brockton, Mass.....	65,746	9	6						4	1
Charleston, S. C.....	60,427	14					2			
Covington, Ky.....	56,520	6	3						2	2
Duluth, Minn.....	91,913	13	1		1				5	1
Elizabeth, N. J.....	84,550	15	21				4		3	
Erie, Pa.....	73,798	18			1		1			
Evansville, Ind.....	72,125	17	7						2	
Harrisburg, Pa.....	70,754	17		1						
Johnstown, Pa.....	66,585	18	4		1		1		2	
Lancaster, Pa.....	50,269		6						4	
Lawrence, Mass.....	98,197	27	15	1	6		7		1	2
Little Rock, Ark.....	55,158		8				1			
Malden, Mass.....	50,067	4	16				2		4	
Manchester, N. H.....	76,959	19	4				2			
Mobile, Ala.....	56,536	19			1				4	7
New Britain, Conn.....	52,203		3		1				1	
Passaic, N. J.....	69,010	14	4		6		2		5	1
Pawtucket, R. I.....	58,156	15	7				4			2
Rockford, Ill.....	53,761	17	1		16		7			
Sacramento, Cal.....	64,505	24	2							2
Saginaw, Mich.....	54,815	17	3				1		1	
San Diego, Cal.....	51,115	15	17	1			5		3	2
Somerville, Mass.....	85,460	23	2		2		6		5	2
South Bend, Ind.....	67,090	16	15	1	1				3	2
Springfield, Ill.....	59,468	21	34				4			1
Wilkes-Barre, Pa.....	55,218	19	6				5		4	1
York, Pa.....	50,543		1						2	
From 25,000 to 50,000 inhabitants:										
Alameda, Cal.....	27,051	8	2						1	1
Brookline, Mass.....	31,934	3			8		2			
Butler, Pa.....	26,587	6	2							
Butte, Mont.....	42,918	25	1						4	
Chelsea, Mass.....	32,452	14			4				4	2
Chicopee, Mass.....	28,688	7	1				2		4	
Cumberland, Md.....	25,564	8	2						1	
Danville, Ill.....	31,554	6							5	
Davenport, Iowa.....	47,127						5			
Dubuque, Iowa.....	39,650									1
East Orange, N. J.....	41,155	2	2				4		4	
Elgin, Ill.....	27,844	10								
Everett, Mass.....	38,307	9	3				1		2	1
Fitchburg, Mass.....	41,144	10	19	1					1	1
Galveston, Tex.....	41,076	18	4				1			
Haverhill, Mass.....	47,774	9	4				1			
Kalamazoo, Mich.....	47,364	11							3	
Kenosha, Wis.....	30,319	3	1							
La Crosse, Wis.....	31,522	12			2					1
Lexington, Ky.....	39,703	9	11	1						
Lima, Ohio.....	34,644	10	2				2		1	
Lincoln, Nebr.....	46,028	10	6	3			1			
Lorain, Ohio.....	35,662	3								
Lynchburg, Va.....	32,385	16	3				2		1	
Madison, Wis.....	30,084				42				1	
Medford, Mass.....	25,737	2	1				1			
New Castle, Pa.....	40,351		6				1			
Newport, Ky.....	31,722	6	2						2	2
Newport, R. I.....	29,631	10								1
Newton, Mass.....	43,085	11	2		1		3			
Niagara Falls, N. Y.....	36,240	10	1							1
Norristown, Pa.....	30,833	7	1						1	1
Ogden, Utah.....	30,466	3					1			
Orange, N. J.....	32,524	11	1				3		5	1
Pasadena, Cal.....	43,859				1				4	
Perth Amboy, N. J.....	39,725		10						4	
Pittsfield, Mass.....	37,580	15							1	3

* Population Apr. 15, 1910; no estimate made.

DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Con.

City Reports for Week Ended Oct. 23, 1915—Continued.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 25,000 to 50,000 inhabit- ants—Continued.										
Portsmouth, Va.	38,610	9	1	1			1			1
Racine, Wis.	45,507	6	5						1	
Roanoke, Va.	41,929	18	22				2			2
Steubenville, Ohio.	26,631	8	3				2			
Stockton, Cal.	34,508	13	1				3			1
Superior, Wis.	45,285	8	1							
Taunton, Mass.	35,957	12	2		10				2	2
Waltham, Mass.	30,129	7	1		7		1		1	1
West Hoboken, N. J.	41,893	7	6	1	3		1		1	1
Wheeling, W. Va.	43,097	11	1				1			1
Williamsport, Pa.	33,495	13	5		1					
Wilmington, N. C.	28,264	14	1				2		1	1
Zanesville, Ohio.	30,406		1							
From 10,000 to 25,000 inhabitants:										
Ann Arbor, Mich.	14,979	9	1				1			
Beaver Falls, Pa.	13,316						1			
Braddock, Pa.	21,310				20		1		1	
Cairo, Ill.	15,593	7					1			2
Clinton, Mass.	13,075	2								
Coffeyville, Kans.	16,765		1						2	
Concord, N. H.	22,480	13					5			
Galesburg, Ill.	23,923	3								
Kearny, N. J.	22,753	7	1				1			
Key West, Fla.	21,437	4					1			2
Melrose, Mass.	17,166	5	3						1	
Morristown, N. J.	13,158	7	1							
Muscatine, Iowa.	17,287	5								
Nanticoke, Pa.	22,441	4							1	
Newburyport, Mass.	15,195	6	1							
New London, Conn.	20,771	6							1	
North Adams, Mass.	22,019	6							1	1
Northampton, Mass.	19,846	7					3		1	
Phoenix, Ariz.	17,198	7								4
Plainfield, N. J.	23,280	5	2	1					2	
Rutland, Vt.	14,624	4								
Saratoga Springs, N. Y.	12,842	7								
Steelton, Pa.	15,337	2							2	
Wilkinsburg, Pa.	22,361	5	1		1		1		1	
Woburn, Mass.	15,862	1								

* Population Apr. 15, 1910; no estimate made.

FOREIGN REPORTS.

ARGENTINA.

Plague—Buenos Aires.

A case of plague was reported at Buenos Aires, Argentina, September 28, 1915.

CHINA.

Cholera—Plague—Hongkong.

During the week ended September 18, 1915, a fatal case of cholera occurred at Hongkong, China.

During the period from September 12 to October 2, 1915, three fatal cases of plague occurred at Hongkong.

GERMANY.

Cholera.

During the week ended September 25, 1915, cholera occurred among civilians in Germany as follows: Two cases each at Thorn, Tilsit, and Treptow; one case at Hermannshohe. Other cases of the disease occurred among prisoners of war in prison camps in Allenstein, Cassel, Erfurt, Marienwerder, Oppeln, Posen, and Stettin Counties.

GREAT BRITAIN.

Typhus Fever—Liverpool.

During the week ended October 16, 1915, one fatal case of typhus fever occurred at Liverpool, England.

ZANZIBAR.

Examination of Rats—Zanzibar.

During the month of August, 1915, 4,793 rats were examined at Zanzibar. No plague infection was found.

TYPHUS FEVER.

Reports Received During Week Ended Nov. 12, 1915.¹

Place.	Date.	Cases.	Deaths.	Remarks.
Great Britain and Ireland:				
Liverpool.....	Oct. 10-16.....	1	1	
Greece:				
Saloniki.....	Sept. 26-Oct. 2.....		46	
Mexico:				
Aguascalientes.....	Oct. 18-24.....		1	
Russia:				
Moscow.....	Sept. 12-18.....	9	1	
Vladivostok.....	Aug. 22-28.....	2		
Turkey in Asia:				
Beirut.....	Aug. 29-Sept. 4.....	1		
Jaffa.....	Sept. 5-11.....	1		

Reports Received from June 26 to Nov. 5, 1915.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary:				
Austria.....	Apr. 25-May 22.....	1,212		Mainly among soldiers, prisoners of war, and persons from Galicia; 6 among the civil population, of which 1 in Vienna.
Do.....	June 6-Aug. 21.....	4,033		Mainly among military.
Bosnia-Herzegovina.....	May 2-15.....	64		
Hungary—				
Budapest.....	May 16-Sept. 11.....	27	7	
Azores:				
Terceira.....	May 23-29.....	1		July 24, 1915; present.
Canada:				
Ontario—				
Kingston.....	Aug. 22-28.....	1	1	
Canary Islands:				
Santa Cruz de Teneriffe....	May 16-Sept. 11.....		3	
China:				
Antung.....	June 29-Sept. 19.....	3	1	
Hankow.....	July 4-10.....		1	
Harbin.....	July 5-11.....	1		
Hungtaohotze Station.....	Apr. 19-25.....	1		On Eastern Chinese Ry.
Mukden.....	June 6-July 3.....			Present.
Tientsin.....	do.....		1	
Cuba:				
Santiago.....	July 4-10.....	2	2	
Curacao.....	Aug. 8-14.....	4	1	
Dominican Republic:				
Santo Domingo.....	July 19-Aug. 31.....		2	
Dutch East Indies:				
Java.....	Apr. 25-Aug. 28.....	102	12	
Batavia.....	June 6-Aug. 7.....	52	10	
Egypt:				
Alexandria.....	May 21-Sept. 16.....	159	47	
Cairo.....	May 7-July 15.....	251	259	
Port Said.....	do.....	10	8	
France:				
La Rochelle.....	July 11-17.....	1	1	
Germany.....	May 16-22.....	12		In German soldiers and 1 prison-camp employee; among prisoners of war in 14 districts and in Saxony and Hesse.
Do.....	June 6-26.....	33		Among military and prisoners.
Do.....	June 27-Sept. 11.....	144		
Aix la Chapelle.....	May 30-June 5.....		1	
Bavaria.....	July 11-Aug. 7.....	3		
Berlin.....	Aug. 22-28.....	1		
Bremen.....	May 30-June 12.....	1	1	
Breslau.....	May 30-Aug. 7.....	6		
Bromberg—				
Government district.....	July 18-Aug. 28.....	10		
Cassel—				
Government district.....	July 18-24.....	1		
Erfurt—				
Government district.....	July 11-17.....	1		
Frankfort—				
Government district.....	July 18-24.....	1		

¹From medical officers of the Public Health Service, American consuls, and other sources.

TYPHUS FEVER—Continued.

Reports Received from June 26 to Nov. 5, 1915—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Germany—Continued.				
Hamburg.....	July 25-31.....	1	1	
Königsberg—				
Government district...	June 6-Sept. 4....	5		
Leipzig.....	June 6-12.....		1	
Merseburg—				
Government district...	July 25-31.....	1		
Posen.....	Aug. 29-Sept. 4....			In prison camp.
Saxe-Weimar.....	July 11-17.....	10		At Jena.
Saxony.....	July 18-24.....	27		
Stettin—				
Government district...	July 25-31.....	1		
Great Britain and Ireland:				
Cork.....	Aug. 22-28.....	1		
Dublin.....	May 23-July 31....	7		
Glasgow.....	May 29-Aug. 21....	3		
Newcastle.....	June 27-July 3....	1		
Greece:				
Athens.....	June 14-July 19....		4	
Saloniki.....	May 30-Sept. 4....		122	
Italy:				
Florence.....	May 1-31.....	5	1	
Turin.....	May 17-23.....	1		
Japan:				
Tokyo.....	June 7-Sept. 3....	3		
Hakodate.....	Aug. 29-Sept. 4....	1		
Mexico:				
Aguascalientes.....	June 21-Oct. 17....		4	
Mexico City.....	Aug. 28.....	1	1	
Russia:				
Moscow.....	May 2-Sept. 11....	338	62	
Petrograd.....	May 9-Sept. 11....	25	7	
Riga.....	Mar. 1-Aug. 7.....	7	1	
Vladivostok.....	June 15-July 14....	2	1	
Warsaw.....				Sept. 27-Oct. 31, 1914: Cases, 31; Nov. 1-28, 1914: Cases, 31; deaths, 1. Maximum incidence, Nov. 22-28: Cases, 20; deaths, 1.
Serbia.....	Apr. 27.....			Prevalent.
Spain:				
Madrid.....	June 1-Aug. 31....		4	
Sweden:				
Stockholm.....	Sept. 19-25.....	1		
Switzerland:				
St. Gall.....	July 25-Sept. 11....	3		
Zurich.....	May 30-July 10....	2		
Turkey in Asia:				
Adana.....	May 9-July 10....			Present.
Beirut.....	May 27-Aug. 28....	7	2	
Harput.....	Apr. 1-30.....			Do.
Jaffa.....	Apr. 25-Aug. 21....	19	11	July 31, present in vicinity.
Mersina.....	May 9-29.....	2		
Tarsus.....	May 9-July 10....			Present.
Trebizond.....				October, 1914-May 22, 1915: 6,000 fatal cases (estimated).
Tripoli.....	May 9-15.....	1	1	

CHOLERA, YELLOW FEVER, PLAGUE, AND SMALLPOX.Reports Received During Week Ended Nov. 12, 1915.¹**CHOLERA.**

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary:				
Austria—				
Adelsberg.....	Sept. 19-25.....	2		
Laibach.....	do.....	15		
China:				
Hongkong.....	Sept. 12-18.....	1	1	Chinese.
Germany:				
Breslau.....	Oct. 6-12.....		1	
Hermannshöhe.....	Sept. 19-25.....	1		Civilian.
Thorn.....	do.....	2		Do.
Tilsit.....	do.....	2		Do.
Treptow.....	do.....	2		Do.
Indo-China:				
Saigon.....	Sept. 6-19.....	3	2	
Persia:				
Tabriz.....	Sept. 6-8.....	26		
Russia:				
Moscow.....	Sept. 12-18.....	88	40	

YELLOW FEVER.

Canal Zone:				
Balboa quarantine.....	Oct. 25.....	1		In person arrived sick on s. s. Jamaica from Buenaventura.

PLAGUE.

Argentina:				
Buenos Aires.....	Sept. 28.....	1		
China:				
Hongkong.....	Sept. 12-Oct. 2.....	3	3	
Dutch East Indies:				
Java—				
Kediri residency.....	July 30-Aug. 26.....	87	84	
Pasceroean residency.....	do.....	20	19	
Soerabaya residency.....	do.....	18	18	
Soerakarta residency.....	do.....	22	20	
Hawaii:				
Pauilo Camp.....	Oct. 30.....	1	1	

SMALLPOX.

Austria-Hungary:				
Austria—				
Vienna.....	Sept. 12-18.....	1		
Canada:				
Ontario—				
Fort William and Port Arthur.....	Oct. 24-30.....	3		
Quebec—				
Montreal.....	do.....	9		
Mexico:				
Aguascalientes.....	Oct. 18-24.....		3	
Frontera.....	Sept. 19-25.....	13	2	
Tampico.....	Oct. 11-20.....		3	
Vera Cruz.....	Oct. 10-16.....	6	4	
Russia:				
Riga.....	Sept. 19-25.....	1		
Spain:				
Seville.....	Sept. 1-30.....		2	
Valencia.....	Oct. 3-16.....	10		
Switzerland:				
Basel.....	Sept. 5-Oct. 2.....	13		
Turkey in Asia:				
Beirut.....	Aug. 29-Sept. 25.....	22	9	
Union of South Africa:				
Somerset East.....	Sept. 21.....			About 20 cases.

¹ From medical officers of the Public Health Service, American consuls, and other sources.

CHOLERA, YELLOW FEVER, PLAGUE, AND, SMALLPOX—Continued.

Reports Received from June 26 to Nov. 5, 1915.

CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary.....				July 11-Aug. 15, 1915: Cases, 14,841; deaths, 7,421.
Austria.....	May 2-Aug. 14.....	13,708	6,326	July 11-Aug. 7, 1915: Cases, 11,928; deaths, 5,880.
Vienna.....	May 9-15.....	9	3	Among soldiers and prisoners.
Trieste.....	June 27-Sept. 18.....	13	6	4 carriers.
Bosnia-Herzegovina.....	Apr. 25-July 31.....	311	140	202 cholera carriers. July 18-Aug. 7, 1915: Cases, 146; deaths, 86.
Croatia-Slavonia.....	May 3-Aug. 16.....	819	317	14 among soldiers. July 26-Aug. 16, 1915: Cases, 421; deaths, 180.
Hungary.....	Apr. 26-Aug. 15.....	2,132	1,072	May 16-23; 5 additional cases notified. July 12-Aug. 15, 1915: Cases, 2,349; deaths, 1,266.
Budapest.....	June 23-Sept. 18.....	3		
Borneo:				Epidemic.
Bandjermasin.....	Aug. 13.....			On Sanda'an Bay.
Bode.....	Aug. 22-28.....	8	2	Within jail limits.
Sanda'an.....	July 18-31.....	7	5	
Ceylon:				
Colombo.....	Apr. 25-May 22.....	8	1	
China:				
Tsing-tong.....	May 2-8.....	1	1	
Dutch East Indies:				
Java—				
Batavia.....	Apr. 25-Aug. 28.....	81	67	Sept. 3, 1915: Epidemic.
Cheribon.....	Aug. 22-28.....	7	6	
Germany:				
Ahlen.....	Sept. 5-11.....	1		
Allenstein.....	Aug. 22-28.....	1		
Altona.....	Oct. 2-9.....	1		
Berlin.....	July 18-Aug. 7.....	3	2	Among soldiers. Present Sept. 11.
Berlitz.....	July 18-24.....	1		Among soldiers.
Brandenburg on the Oder.....	Aug. 15-21.....	2	1	
Breslau.....	July 18-Sept. 4.....	5		2 military.
Bromberg.....	July 25-Aug. 28.....	2		Among soldiers.
Canstatt.....	do.....	1		Do.
Government districts—				
Arnsberg.....	Aug. 2-14.....	3	1	
Breslau.....	June 13-Aug. 14.....	6		Present in prison camps Sept. 11.
Bromberg.....				Do.
Frankfort.....	Aug. 8-21.....	2	1	
Gumbinnen.....	June 13-Aug. 28.....	2		
Königsberg.....	do.....	5	1	
Koslin.....	Aug. 8-28.....	4	8	
Liegnitz.....	June 13-Aug. 28.....	4	3	
Lüneburg.....	Aug. 1-7.....	1	1	
Magdeburg.....	do.....	1		Do.
Marienwerder.....	June 13-Aug. 21.....	603	116	
Merseburg.....	Aug. 8-14.....	12		
Minden.....	Aug. 1-7.....	2	1	
Münster.....	Sept. 11.....	1		
Oppeln.....	June 13-Aug. 28.....	37	4	Do.
Potsdam.....	June 13-Aug. 21.....	4	1	Do.
Stade.....	Aug. 1-7.....	2		
Stettin.....	Aug. 1-Sept. 11.....	6	2	
Wiesbaden.....	June 13-Aug. 7.....	1		
Danzig.....	July 18-Sept. 4.....	19	8	
Danzig-Troyl.....	Aug. 15-28.....	17	7	
Erfurt.....	Aug. 22-Sept. 18.....	1	2	
Frankfort on Oder.....	Aug. 22-28.....	2		
Fürstenwalde and Klotzsch.....	Aug. 8-14.....	4	4	Aug. 15-21, 1915; 1 case at Klotzsch.
Hamburg.....	Aug. 1-14.....	4		
Hanover.....	July 25-31.....	1		Among soldiers.
Hermannshöhe.....	Sept. 5-18.....	6		Civilians.
Jagendorf.....	June 13-July 2.....	1		
Kehl.....	Oct. 2-9.....	3	1	
Kiel.....	Sept. 25-Oct. 2.....	1	1	
Kösl.....	Sept. 12-18.....	1	1	Civilian.
Kronshagen.....	Oct. 2-9.....	1		
Landsberg.....	July 25-31.....	1		Among soldiers.
Leipzig.....	do.....	1		Do.
Niederzaden.....	Sept. 5-11.....	1	1	Civilian.
Patschkau.....	July 18-24.....	1		Among soldiers.
Posen.....	July 25-31.....	1		Do.
Rosenberg.....	June 13-July 2.....	1		
Sachsenhausen.....	do.....	1	1	

CHOLERA, YELLOW FEVER, PLAGUE, AND SMALLPOX—Continued.

Reports Received from June 26 to Nov. 5, 1915—Continued.

CHOLERA—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Germany—Continued.				
Saxony, Kingdom.....	Aug. 15-28.....	2		Among soldiers.
Schneidemühl.....	July 25-31.....	1		
Silesia.....	July 3-17.....	5		
Slaventzitz.....	June 13-July 2.....	1		
Sommerfeld.....	July 18-21.....	1		
Spandau.....	July 25-31.....	1		Do.
Striegan.....	July 18-24.....	1	1	Do.
India:				
Akyab.....	May 16-July 31.....		7	
Bassein.....	Apr. 18-July 31.....		34	
Bombay.....	June 6-Sept. 4.....	9	8	
Calcutta.....	Apr. 25-Aug. 21.....		218	
Henzada.....	Aug. 1-21.....		21	
Karachi.....	Aug. 1-7.....	1	1	
Madras.....	May 2-Sept. 18.....	20	11	
Madras district.....	Sept. 5-18.....	8	7	
Myingyan.....	July 25-Aug. 14.....	1	23	
Pakokku.....	Aug. 8-14.....		20	
Pegu.....	July 4-10.....	1		
Rangoon.....	Apr. 24-Sept. 11.....	17	16	
Indo-China:				
Provinces—				
Anam.....	Jan. 1-Feb. 28.....	9	5	
Cochin China.....	do.....	621	297	
Laos.....	Feb. 1-28.....	46	21	
Tonkin.....	Jan. 1-Feb. 28.....	84	39	
Salgon.....	May 2-Aug. 14.....	1,319	827	
Italy:				
Leghorn.....	Aug. 11.....	1		
Venice.....	do.....	3		
Persia:				
Tabriz.....	Aug. 26.....	10	10	And vicinity.
Russia:				
Moscow.....	June 6-Sept. 11.....	158	34	
Serbia.....	June 25-July 2.....	2		
Siam:				
Bangkok.....	Apr. 19-Aug. 7.....		8	
Straits Settlements:				
Singapore.....	May 9-Sept. 4.....	5	3	
Sumatra, island—				
Toba district.....	Apr. 12-June 26.....	159	110	

YELLOW FEVER.

Brazil:				
Bahia.....	July 11-17.....	1	1	
Canal Zone:				
Balboa quarantine.....	Sept. 27.....	1		In person arrived from Buenaventura, Colombia.

PLAGUE.

Azores:				
Terceira, island.....	July 25.....			Present.
Bahrein, island.....	Apr. 1-30.....			Do.
Brazil:				
Bahia.....	June 20-Aug. 14.....	6	5	
Rio de Janeiro.....	Aug. 22-28.....	4	4	
Ceylon:				
Colombo.....	May 9-Sept. 11.....	38	26	
China:				
Amoy.....	May 2-June 5.....			Present. Present in Slo-Kho Valley, 60 miles inland.
Do.....	June 13-19.....			Increasing.
Do.....	June 20-26.....			40 deaths daily (estimated). At Kulangsu, international settlement, 1 case.
Do.....	June 27-Aug. 14.....			Present. July 4-17, 1915: Cases, 95 (estimated).
Hongkong.....	May 9-July 31.....	72	60	

CHOLERA, YELLOW FEVER, PLAGUE, AND SMALLPOX—Continued.

Reports Received from June 26 to Nov. 5, 1915—Continued.

PLAGUE—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
Cuba:				
Habana.....	Aug. 15.....	1		
Dutch East Indies:				
Java.....				Jan. 1-Feb. 25, 1915: Cases, 2,094; deaths 1,874. Aug. 8-14, 1915: Cases, 58; deaths, 57.
Do.....	Mar. 12-July 31.....	2,227	1,111	
Kediri residency.....	Aug. 14.....	124	116	
Madison residency.....	Mar. 12-July 15.....	5	5	
Paseroean residency.....	Mar. 12-Aug. 14.....	62	56	
Surabaya residency.....	do.....	45	45	
Surakarta residency.....	do.....	18	17	
Surabaya.....	Aug. 13-19.....	3	3	
Ecuador:				
Guayaquil.....	May 1-31.....	1		
Egypt.....				Jan. 1-May 20, 1915: Cases, 93; deaths, 48. Jan. 1-July 15, 1915: Cases, 188. Corresponding period, 1914: Cases, 157.
Alexandria.....	May 21-Sept. 16.....	4	3	
Asiout, province.....	May 14-June 3.....	7	2	
Fayoum, province.....	May 14-Sept. 2.....	54	10	
Galiobeh, province.....	May 14-27.....	1		
Gizeh, province.....	Sept. 15.....	1	1	
Minieh, province.....	May 14-July 15.....	14	5	
Port Said.....	May 28-Sept. 4.....	13	6	
Greece:				
Zante.....	Aug. 1-11.....	12	13	Present. Oct. 23.
India:				
Bassein.....	Apr. 18-Aug. 7.....		70	
Bombay.....	May 2-Sept. 18.....	217	187	
Calcutta.....	Apr. 25-July 3.....		59	
Benazada.....	May 2-8.....	1		
Karachi.....	May 2-Sept. 18.....	635	551	
Madras presidency.....	Sept. 5-18.....	278	216	
Mandalay.....	Apr. 25-July 31.....		17	
Moulmein.....	May 27-July 24.....		9	
Myingyan.....	Apr. 5-17.....		1	
Pegu.....	Apr. 18-May 1.....		5	
Rangoon.....	Apr. 18-Sept. 11.....	279	231	Apr. 1-May 31, 1915: Cases, 94; deaths, 92.
Toungoo.....	Apr. 25-May 1.....		38	
Indo-China:				
Saigon.....	May 9-Aug. 14.....	17	9	Jan. 1-31, 1915: Cases, 73; deaths, 58.
Provinces—				
Anam.....	Jan. 1-Feb. 28.....	62	54	
Cambodia.....	do.....	37	34	
Cochin China.....	do.....	40	19	
Laos.....	Feb. 1-28.....	20	20	
Japan:				
Taiwan Island—				
Kagi.....	May 30-July 3.....	7	7	
Tokyo.....	May 31-Aug. 8.....	9	5	
Mauritius.....	June 14.....	1		
Persia:				
Mohammerah.....	Apr. 10-June 1.....	3		
Peru.....				Year 1914: Cases, 760; deaths, 385. Jan. 1-June 30, 1915: Cases, 287; deaths, 140.
Callao.....	May 3-Sept. 12.....	5		
Chiclayo.....	Aug. 16-Sept. 12.....	4		
Ferrenafe.....	do.....	2		
Lima (city).....	May 3-Sept. 12.....	6		
Mollendo.....	May 3-July 25.....	2		May 30, vicinity.
Salaverry.....	Apr. 26-May 27.....	2		May 30, 7 cases in hospital.
San Pedro.....	Aug. 16-Sept. 12.....	6		
Trujillo.....	May 3-Sept. 12.....	7		
Provinces—				
Ancachs.....	Jan. 1-Dec. 31, 1914.....	34	20	
Arequipa.....	do.....	54	24	
Cajamarca.....	do.....	16	7	
Callao.....	do.....	14	8	
Lambayeque.....	do.....	107	47	
Libertad.....	do.....	235	176	
Lima.....	do.....	106	48	
Piura.....	do.....	94	55	
Ancachs.....	Jan. 1-June 30, 1915.....	6	4	
Arequipa.....	do.....	19	11	
Callao.....	do.....	22	8	
Junin.....	do.....	1	1	
Lambayeque.....	do.....	68	24	
Libertad.....	do.....	67	42	
Lima.....	Jan. 1-Sept. 12.....	56	33	
Piura.....	Jan. 1-June 30, 1915.....	44	27	

CHOLERA, YELLOW FEVER, PLAGUE, AND SMALLPOX—Continued.**Reports Received from June 26 to Nov. 5, 1915—Continued.****PLAGUE—Continued.**

Place.	Date.	Cases.	Deaths.	Remarks.
Siam:				
Bangkok.....	July 4-Aug. 7.....	3	2	
Straits Settlements:				
Singapore.....	Apr. 25-June 5.....	4	1	
Turkey in Asia:				
Bagdad.....	May 2-July 26.....	768	574	
Chios, Island.....	Aug. 6.....			Present.
Union of South Africa:				
Cape Province—				
Tar. a, district.....	June 2-16.....	2	1	
Wodehouse, district.....	June 5.....	2	2	At Dordrecht.
Zanzibar:				
Zanzibar.....	Mar. 1-31.....		1	

SMALLPOX.

Arabia:				
Aden.....	Aug. 19-25.....	1	1	
Australia:				
New South Wales—				
New Castle district.....	Aug. 27-Sept. 23.....	50		June 10-Aug. 5: Cases, 17.
Cessnock.....	June 10-Aug. 2.....	5		
Hamilton.....	July 16-22.....	1		
Islington.....	Aug. 3-19.....	1		
Kurri Kurri.....	May 26-July 22.....	8		
Moreweather.....	Aug. 3-19.....	1		
Newcastle.....	Aug. 20-26.....	1		
Plattsburg.....	July 16-22.....	1		
Standford Morthyr.....	June 25-July 24.....	1		
Wickham.....	Aug. 3-19.....	1		
Sydney.....	Aug. 27-Sept. 16.....	1	2	
Victoria—				
Melbourne.....	Apr. 20.....	1		At Point Nepean quarantine station, from S. S. Lord Derby; from Rangoon.
Western Australia—				
Freemantle.....	Apr. 27.....	1		At Woodmans Point quarantine station, from S. S. City of Baroda, from Calcutta via Colombo.
Austria-Hungary:				
Austria.....	May 2-July 31.....	4,533		
Dalmatia, Province.....	May 2-8.....	1		
Vienna.....	May 2-Aug. 28.....	37	10	Aug., 1914-May 8, 1915: Cases, 1,487; deaths, 316. May 9-15, 1915: Cases, 28. June 6-12: 13.
Hungary—				
Budapest.....	May 2-Sept. 18.....	316	1	
Prague.....	Aug. 1-21.....	5		
Brazil:				
Rio de Janeiro.....	Apr. 18-Sept. 25.....	216	71	Epidemic.
Rio Grande do Sul.....	Sept. 2.....			
Canada:				
Alberta—				
Edmonton.....				Epidemic 30 miles south closed Aug. 14, 1915: Cases, 100 (estimated).
Ontario—				
Fort William and Port Arthur.....	Oct. 17-23.....	1		
Hamilton.....	June 1-30.....	2	4	
Peterborough.....	July 10-17.....		1	
Sarnia.....	June 13-19.....	1		
Toronto.....	June 6-Aug. 7.....	7		
Quebec—				
Montreal.....	June 13-Oct. 16.....	17		
Sherbrooke.....	June 1-30.....		1	
Canary Islands:				
Santa Cruz de Tenerife.....	July 18-24.....		1	
Ceylon:				
Colombo.....	May 2-Sept. 11.....	194	35	
China:				
Amoy.....	July 4-Aug. 28.....			Present.
Chungking.....	May 23-June 19.....			Do.
Foochow.....	May 9-22.....			Do.
Harbin.....	May 3-9.....	1		

CHOLERA, YELLOW FEVER, PLAGUE, AND SMALLPOX—Continued.

Reports Received from June 26 to Nov. 5, 1915—Continued.

SMALLPOX—Continued.

Place.	Date.	Cases.	Deaths.	Remarks.
China—Continued:				
Hongkong.....	May 9-Aug. 7.....	9	6	
Manchuria Station.....	June 21-27.....	2		Eastern Chinese Railway.
Nanking.....	June 20-Sept. 4.....			Present.
Shanghai.....	May 9-July 3.....	5	5	Natives.
Tientsin.....	May 16-22.....		1	
Dutch East Indies:				
Java.....	Apr. 18-Aug. 28.....	825	201	
Batavia.....	Apr. 25-July 17.....		30	Do.
Egypt:				
Alexandria.....	May 21-Sept. 9.....	42	14	
Cairo.....	Apr. 30-July 15.....	18	8	
Germany.....				Total, May 16-Sept. 11, 1915; 47 cases.
Berlin.....	Aug. 22-28.....	1		
Hamburg.....	June 6-12.....	1		
Government districts—				
Allenstein.....	June 13-19.....	1		
Arnsberg.....	.....do.....	1		
Breslau.....	June 20-July 3.....	1		
Danzig.....	June 13-July 31.....	3		
Gumbinnen.....	May 23-29.....	2		
Marienwerder.....	May 23-July 31.....	3		
Merseburg.....	June 20-July 3.....	1		
Oppeln.....	May 16-Sept. 11.....	10		
Posen.....	May 30-June 5.....	3		
Potsdam.....	June 13-Aug. 14.....	4		
Wiesbaden.....	Aug. 29-Sept. 4.....	1		
Great Britain:				
Bristol.....	Mar. 21-May 22.....	29	7	1 vessel from Bombay. Maximum incidence, Apr. 4-17: Cases, 22; deaths, 2.
London.....	May 30-June 12.....	3		
Greece:				
Saloniki.....	May 23-29.....		1	
India:				
Bassein.....	May 2-8.....		1	
Bombay.....	May 2-Sept. 18.....	255	151	
Calcutta.....	Apr. 25-Aug. 14.....		257	
Karachi.....	May 2-Sept. 18.....	30	8	
Madras.....	.....do.....	52	27	
Moulmein.....	May 23-29.....		1	
Pegu.....	Apr. 18-June 12.....	1	1	May 1-31, 1915: Cases, 37; deaths, 14.
Rangoon.....	Apr. 18-Sept. 11.....	145	61	
Indo-China:				
Provinces—				
Anam.....	Jan. 1-31.....			Present.
Cambodia.....	Jan. 1-Feb. 28.....	32	5	
Cochin China.....	Jan. 1-31.....	12		
Laos.....	Feb. 1-28.....	6		
Tonkin.....	Jan. 1-Feb. 28.....	66	12	
Saigon.....	May 23-July 10.....	2	2	
Italy:				
Milan.....	May 1-31.....	1		
Turin.....	Aug. 16-29.....	3		
Japan:				
Taiwan, Island.....	May 23-29.....	1		
Mexico:				
Acapulco.....	July 14-Sept. 5.....		3	
Agua Calientes.....	June 7-Oct. 17.....		27	
Columbia.....	Sept. 15.....	2		
Frontera.....	May 23-Oct. 2.....	158	66	
Mazatlan.....	June 23-July 13.....		3	
Monterey.....	June 14-Sept. 12.....	10		
Nuevo Laredo.....	Sept. 11.....	2		In persons from San Luis Potosi.
Progreso.....	June 6-July 24.....	7	1	
Salina Cruz.....	June 1-30.....	4	1	Soldier from San Geronimo.
Tampico.....	Aug. 11-Sept. 30.....		4	
Vera Cruz.....	June 7-Oct. 10.....	129	61	
Portugal:				
Lisbon.....	May 23-Sept. 25.....	28		
Russia:				
Moscow.....	May 2-15.....	19	5	
Petrograd.....	May 8-Sept. 11.....	389	151	
Riga.....	May 9-Sept. 18.....	139	10	Mar. 1-31, 1915: Cases, 80; deaths, 22.
Vladivostok.....	May 29-June 4.....	1		Sept. 27-Oct. 31, 1914: Cases, 51; deaths, 16. Nov. 1-28, 1914: Cases, 70; deaths, 23.

CHOLERA, YELLOW FEVER, PLAGUE, AND SMALLPOX—Continued.**Reports Received from June 26 to Nov. 5, 1915—Continued.****SMALLPOX—Continued.**

Place.	Date.	Cases.	Deaths.	Remarks.
Serbia.....	Apr. 21-May 3....	356	.....
Spain:				
Madrid.....	June 1-Aug. 31....	.....	13	
Seville.....	May 1-Aug. 31....	.....	9	
Valencia.....	May 30-Oct. 2....	120	14	
Straits Settlements:				
Penang.....	Apr. 25-May 15....	6	2	
Singapore.....	May 23-29.....	1	.....
Switzerland:				
Basel.....	May 16-Aug. 21....	22	.....
Turkey in Asia:				
Bagdad.....	May 2-8.....	.....	.....	Present.
Beirut.....	May 16-Aug. 28....	112	46	
Haifa.....	May 3-July 25....	9	1	
Jaffa.....	May 9-20.....	2	.....
Mersina.....	May 30-June 5....	1	.....
Tripoli.....	May 2-8.....	.....	.....	Do.
Union of South Africa:				
Cape Town.....	June 24-July 30....	3	.....
East London.....	Aug. 22-28.....	1	.....

SANITARY LEGISLATION.

COURT DECISIONS.

SOUTH DAKOTA SUPREME COURT.

Physical Examination of School Children—School Board May Require.

STREICH v. BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT OF CITY OF ABERDEEN et al., 147 N. W. Rep., 779. (June 8, 1914.)

A school board has the power to require a report by a physician showing the physical condition of a child as a prerequisite to the admission of the child to school. The board of education required a report by a physician showing certain data regarding the physical condition of a child before that child could be admitted to the school. The necessary examination might be made by the school physician or by a physician employed by the parents. The court held that the requirement was reasonable and within the power of the board.

WHITING, J.: This is an appeal from an order refusing a peremptory writ of mandamus. The sole question presented is the right of respondents to require of the children seeking admission into the schools under their charge, and as a condition to their admission, the furnishing of a certain report. For several years there has been in force in said schools a resolution requiring pupils, at the beginning of each school year, to obtain and furnish what is termed a "Physical record card." One side of this card is to be filled out by the teacher, the other by some regular licensed physician. It is optional with the pupil and parents whether such physician be of their own selection and the examination at their own expense, or such examination be made and card filled out by a physician furnished by respondent board and at the expense of the school district. The side of the card to be filled out by the teacher is in words as follows:

Physical record card—Aberdeen Public Schools, S. Dak.

School	Grade	Date
Name		Age
Parent's name	Residence	
Nationality	No. in family—adults	
Children		
Weight	Height	Posture
Activity—Physical	Mental	Mouth breather
Attendance	Behavior	
Delinquency in studies		
Nasal voice	Offensive breath	
Ears—R	L	
Eyes—R	L	
Vaccination scar	Fever	

Teacher

The other side is in words as follows:

History of contagious diseases-----
Heart----- Lungs-----
Throat, tonsils, etc-----
Skin diseases----- Spine-----

Dental examination.

Permanent teeth needing attention—number-----
Temporary teeth needing attention—number-----
(Diagram of teeth.)
Teeth or roots to be extracted----- Yes---- No----
Do the teeth need cleaning (by dentist)----- Yes---- No----
Has the child any abscesses in mouth----- Yes---- No----
Has the child irregular teeth----- Yes---- No----
Recommendations-----
Results-----

Medical Examiner.

Appellant has two children of school age entitled to the privileges of the schools under respondents' charge. These children sought admission into such schools at the beginning of the current school year. They were requested to furnish the above card properly filled out. This appellant refused to permit, and they were denied admission.

Upon this appeal the right and propriety of requiring the teacher's report is conceded. Appellant's contention is thus stated in his brief:

It is the contention of the plaintiff that, upon the facts shown by the record, plaintiff had a right to have his children admitted as pupils in said schools without their submitting to such or any physical examination, and that the defendants had no power or authority under the laws and constitution of South Dakota to require that plaintiff's children submit to a physical examination as a condition precedent to be performed by them before they would be admitted as pupils in said schools, and that defendants had no legal authority to deny them admission as pupils therein because they failed to present such card and refused to submit to such physical examination by a licensed physician.

Appellant calls attention to those provisions of our constitution imposing upon the legislature the duty to establish and maintain a general and uniform system of public schools, wherein tuition shall be without charge, and which shall be equally open to all and free from sectarian control; he also calls attention to the fact that the statute has fixed but two qualifications for admission to a school—that the pupil must be of school age, and must reside within the school district; and he contends that there is no law of this State conferring upon teachers or school officers any power or authority to make and enforce any additional requirement for such admission. He contends that "matters of government, legislation, and regulations relating to health of the people come within the police powers of the State, over which the legislature alone has control"; that "the legislature * * * has conferred such power * * * upon a board of health and medical examiners"; that "the legislature has lodged in the State board of health all authority and power relating to health and health regulations which it has seen fit to delegate to any controlling body or board." Conceding that the action of respondent board in requiring the "Physical Record Card" was a matter of government, was legislation, and was a regulation relating to the health of the pupils—which at least might be one of the incidents to or results flowing from such action of the board—and conceding that the police power of the State has been by the people committed to the control of the legislature, yet it does not follow that because the legislature has delegated certain police powers to some specific board another board or corporate body is denied the exercise of this same power to such extent as may be necessary to carry out

the purposes for which such board or body was created; certainly no such claim can be made in a case where such board or body was created or authorized by that very legislative department in whom all police power is primarily intrusted by the people. Respondents contend that there is conferred upon every municipal or quasi municipal corporation, by necessary implication based upon the law of necessity, the right to exercise such police power as is needful for the carrying out of those purposes for which such corporation or quasi corporation has been established. It is therefore conceded by both parties that the power sought to be exercised by respondents belongs to what is known as "police power," and the sole question presented is the authority of respondents to invoke and exercise this particular power under the circumstances existing at the time of its exercise.

It is clear that all police power is based upon necessity and upon the inherent right of self-preservation possessed by all political bodies, and is therefore a power which has been recognized and exercised from the time men first associated together; it "is that inherent or plenary power which enables the State to prohibit all things hurtful to the comfort, safety, and welfare of society, and may be termed the law of overruling necessity" (*Chicago v. Gunning System*, 214 Ill., 628, 73 N. E., 1035, 70 L. R. A. 230, 2 Ann. Cas. 892); it "is the name given to that inherent sovereignty which it is the right and duty of the Government or its agents to exercise whenever public policy in a broad sense demands for the benefit of society at large regulations to guard its morals, safety, health, order, or to insure in any respect such economic conditions as our advancing civilization of a highly complex character requires" (8 Cyc., 863). While it is possible to clearly define the nature of this power, and, in a general way, to point out the scope and extent thereof, yet it would be utterly impracticable—and, in fact inconsistent with that very law of necessity upon which police power rests—for the law-making power, except in rare cases, to undertake to restrict, within fixed bounds, the exercise of this power by the several political agencies through which the various functions of government are to be performed. This becomes very apparent when one contemplates the new and ever-changing social, economic, and political conditions resultant from the physical, intellectual, and moral evolution of the human race, which, as well as the peculiar conditions existent in a particular locality, may, from very necessity, call for continual changes in the exercise of this power. What was a reasonable exercise thereof in the days of our fathers may to-day seem so utterly unreasonable as to make it difficult for us to comprehend the existence of conditions that would justify same; what would by our fathers have been rejected as unthinkable is to-day accepted as a most proper and reasonable exercise thereof; and what would be a proper exercise thereof under conditions existing in one place would, at the very same time, be improper under the conditions existing in another place. There is nothing known to the law that keeps more in step with human progress than does the exercise of this power; but, while this fact is evidenced to a certain degree by current legislative enactments, yet, for the reasons above stated, it is upon the courts that the people mainly rely for such recognition of changing conditions and such careful supervision over the exercise of this far-reaching and all-important power as will properly guard the rights both of the individual and of the public.

To the legislature is given the power to create and to authorize the creation of municipal and quasi municipal bodies through which, as governmental agencies, the public welfare is sought to be promoted; hence we have townships, towns, cities, counties, and school districts. (35 Cyc., 817; *Associated Schools, etc., v. School Dist.*, 122 Minn., 254, 142 N. W., 325, 47 L. R. A. N. S.,

200.) Each of such agencies has a certain work to perform in the promotion of such public welfare. Necessarily incident to the creation and existence of one of these political entities is the power to provide those rules and regulations upon the proper enforcement of which depends its ability to perform the particular function for which it was created. While express legislation may give to such agency certain express police powers, it should never be held that the naming of these powers precludes it from exercising any other powers; but it should be held that, upon the creation of a municipal body, it becomes possessed of all necessary and reasonable police power, and that express enactments relating to the police power of such body do not curtail the necessary and reasonable police powers of such body, except where it is clear that it was the legislative intent to so curtail them. The following words, though spoken of a city, are just as applicable to other bodies created as governmental agencies:

The police power primarily inheres in the State, but the legislature may, and in common practice does, delegate a large measure of it to municipal corporations. The power thus delegated may be conferred in express terms, or it may be inferred from the mere fact of the creation of the corporation. The so-called inferred or inherent police powers of such corporations are as much delegated powers as are those conferred in express terms, the inference of their delegation growing out of the fact of the creation of the corporation and the additional fact that the corporation can only fully accomplish the objects of its creation by exercising such powers. (*City of Crawfordsville v. Braden*, 130 Ind., 149; 28 N. E., 849; 14 L. R. A., 268; 30 Am. St. Rep., 214.)

The legislature of this State has not forbidden school districts the exercise of such police power as may be reasonably necessary to insure the proper discharge of the work for which the districts are created. In determining whether, in a given case, there has been a reasonable exercise of this inherent power, the court must consider the particular facts of that case; each case must stand by itself.

Appellant urges that respondents were adding to the qualifications for admission prescribed by law. There is no merit in this contention; one might as well contend that to require a pupil to take his term examination to ascertain his progress in school work was the adding of a qualification for membership in the school. Under the regulation complained of no person is excluded from the school, except upon his own volition. Respondents merely seek to learn those things concerning the mental and physical condition of the pupil which they think useful and needful in the proper discharge of the functions of the school, and especially in the proper handling of the individual pupil. The report asked for would lead to the exclusion of the pupil only when it showed that the child was not of school age, that it was not a resident of the district, or, if the respondents so ordered, when it showed that the child was then suffering from some disease rendering it a menace to its associates.

Appellant has cited many cases in which it has been held that it is beyond the power of a school board to require pupils to be vaccinated as a condition precedent to attending school. Such decisions have no application to the question before us; it is one thing to say that requiring a report from which the board may learn the physical condition of a child is a reasonable exercise of police power, and quite another thing to say that a rule prescribing a certain method of medical treatment is a reasonable exercise of the police power; and yet this court has held that, under certain conditions, the requiring that pupils be vaccinated is a reasonable exercise of the police power. (*Glover v. Bd. of Education*, 14 S. Dak., 139, 84 N. W., 761.) By so holding this court recognized that to the school board there is delegated the right to exercise such police power as is reasonably necessary in carrying out the duties imposed upon it.

Was the information sought such as would tend to promote the welfare of the child himself in his school work, as well as to promote the well-being of the school as a whole? Respondents, in the return to the alternative writ issued herein, referring to the rule requiring the furnishing of the report alleged:

That said rule and regulation was adopted and enforced by said board for the purpose of guarding and protecting the community and the pupils attending upon said schools against the spread of contagious and infectious diseases, and for the purpose of ascertaining and determining whether the attendance of any pupil upon any of said schools would be a menace to the health of other pupils and to the community at large on account of any disease with which they might be afflicted.

By stipulation of parties the following allegations in respondents' answer are admitted to be true:

That since the adoption and enforcement of the aforesaid rule and regulation of the board of education upon the opening of the school in the year 1911 the general condition of the children as to their healthfulness has greatly improved and no epidemics of contagious or infectious diseases have broken out in the schools or caused the closing of the schools since that time, although contagious and infectious diseases have been epidemic during the school year in the city, and in former years prior to the adoption of said rule it had been carried into the schools to the detriment of the schools and spread through the community, and that since the adoption of said rule the general condition of the schools as to cleanliness and freedom from filthy vermin has greatly improved, until it has been practically eradicated by the enforcement of this rule.

Can it be successfully contended that because the statute has intrusted to some particular board the general supervision of matters pertaining to the health of our people, that by implication they have forbidden school boards from bringing about results such as above, when it can be done by requiring reports such as the one before us?

Respondents further allege in their return:

That physical culture and athletic exercises and the cultivation of vocal talent were and are among the regular parts of the regularly adopted course of instruction and exercises in said school, and said rule and regulation was further adopted and is enforced for the purpose of ascertaining and determining whether any pupil presenting himself for enrollment in said schools or for attendance therein had or has any physical defect or ailment or imperfections so that such exercises regularly engaged in by other pupils would be dangerous or detrimental to the health of said pupil or pupils, and such rule and regulation was further adopted and is enforced for the purpose of ascertaining and determining whether any pupil has such physical defect that requires special assistance or attention in the regular prosecution of his or her studies, in order to maintain its regular position in its classes, and whether such pupil requires any special attention or provision to be made for it as to its position in its classes while attending recitations so as to be able to hear and see and secure full benefit of the work in such recitation period.

Appellant urges that physical culture, athletics, and the cultivation of vocal talent are not among the things prescribed by statute to be taught in the public schools; that, inasmuch as they are not so prescribed, a pupil can not be required to take this part of the course provided; and that, for these reasons, there exists no grounds for requiring any physical report seeking information to be used in connection with this part of the school work of respondents' schools. While the statutes do not prescribe these and many other things now provided for in the up-to-date school of to-day—especially in the schools of the larger cities, where sufficient revenue can be raised with which the necessary teachers and equipment are secured—yet there is nothing in such statutes forbidding school districts to provide for instruction in branches other than those specified therein; and when the taxpayers of a school district have furnished the needed revenues and the school officers have supplied the teachers and equipment every child attending the school has a right to share the benefits, in so far as he is phys-

cally and mentally able. It is not necessary for us at this time to intimate any views on the power of respondents to require pupils to pursue studies not prescribed by statute, for the reason that it does not appear that appellant ever advised respondents, nor did he advise the trial court in this action, that he did not wish his children to take the courses in physical culture, athletic exercises, and vocal culture. The information sought through these reports would necessarily tend to aid respondents in giving to appellant's children the greatest benefit possible in pursuing these additional courses provided for them.

Was the source from which the information was required a proper one from which to seek same? It is evident that this information, to be entitled to due consideration, should come from some one having expert knowledge of the matters therein referred to; it could not be furnished by the parent nor the teacher. It is true that much of it could be as well furnished by a competent dentist, but there is some which he could not furnish, and it all could be furnished by a competent physician. Recognizing the value to society of that learning and skill possessed by the members of the so-called "learned professions," among which is the medical, and also realizing the danger to society that comes from the practice of some of these professions by those who have little or no skill and learning therein, there have been enacted laws requiring of those seeking to practice certain professions, among them the medical, the procuring of a license authorizing them to practice such professions, which license is based upon an examination provided for by law. Can anyone contend, as a legal proposition, that an expert, licensed as such under the laws of our State and so licensed because he has passed the very examination prescribed by law, is not a proper person from whom to seek information peculiar to his special field of knowledge?

Does the furnishing of this report necessitate such a physical examination as amounts to an unreasonable violation of a sacred right, and therefore the requiring of this report amount to an unreasonable exercise of police power? It is certainly clear, for all the reasons hereinbefore stated, that this is a reasonable exercise of the police power unless it is made unreasonable from the fact that it is such a violation of personal right as is not justified by the end sought. Appellant urges that:

The rule in question compelled the plaintiff's children to submit either to a trespass upon their most private and sacred rights or yield up their right to attend the public schools, conferred upon and granted to them by the State.

It seems to us that appellant confesses that he has no standing under the facts before us when he says in his brief:

If a physical examination of the child were absolutely necessary as a prerequisite to its admission to classes receiving instruction in physical culture, but its parent objects to the child submitting to such physical examination, then a rule providing that, unless the child submitted to such physical examination, it would be denied admission to those particular classes might be upheld as being reasonable.

If the right of a child to be protected from such a physical examination as this "Physical record card" calls for is a sacred right, we can not see how any rule which would deprive a pupil of the right to take any part of a course unless it submitted to such examination could be a "reasonable" rule; but, if the examination would be "reasonable" as a condition precedent to instruction in these extra courses, it was "reasonable" under the facts before us.

Need a child suffer any indignity or a violation of any sacred right by submitting to such physical examination as would be necessary in order that a physician might fill out the report called for? Appellant did not prove, nor do we find anything in the report requiring, that there need be any exposure of the person of the child or any manipulation of its body such as would shock the

sensibilities of the most refined person. Here, again, we must not overlook the person who makes the examination; the conventionalities of our time recognize the absolute propriety of submitting one's body to the examination of a physician, whenever such examination is made for the purpose of gaining information concerning one's physical condition. The established customs—the conventionalities of the time—are matters to be considered in determining the reasonableness of a particular action; therefore a thing may be reasonable, though it conflicts with the individual views of the few, if it conforms to that of the many. Such an examination as the report calls for could not subject a child to anything not in perfect harmony with the conventions of to-day, could not subject it to indignity, and would be reasonable.

In appellant's brief it is urged that the examination called for may result in such mental suggestion of diseases as may result in mental disease germs. Counsel has quoted an article in support of such contention, but he has failed to point out how the examination called for need, in any manner, suggest disease to the child; the child need not know the contents of the report. If such an examination is a menace to a child's health owing to the danger of mental suggestion, the study of physiology and hygiene should be banished from our schools. The time may come when the contentions of appellant will become the accepted doctrine of the day; but courts must follow the accepted doctrines of the present, except when, through competent evidence submitted, the fallacy of a particular doctrine is established. No question of therapeutics is presented by this appeal.

Appellant's brief suggests that the requiring of the physical examination of appellant's child against appellant's wishes is "an invasion of the rights of citizens under the Constitution and laws of the land, and the higher right of the freedom of his mental determination of that which to him constitutes the most sacred right, and to him it may be a part of his worship of Deity." In these last words we might conclude there was to be found the real foundation of appellant's opposition to the rule which he is seeking to have set aside, were it not for the fact that his counsel, upon the oral argument of this cause, repeatedly assured this court that the question before us was in no sense a religious question, but one entirely separate and distinct from any one's religious belief. We agree fully with counsel, as certainly the school boards of our land, in making rules for the control of our public schools, should not base the same upon the tenets of any particular religious sect or sects.

Repeating again that the reasonableness of any rule involving the exercise of police power must depend upon the particular circumstances surrounding the making of the rule, and that, for that reason, each case must stand by itself, we have no hesitancy in holding that the requiring of the report in question was, under all the surrounding conditions, reasonable.

The judgment appealed from is affirmed.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

PENNSYLVANIA.

Water—Certain Cities Authorized to Supply Other Municipalities in Same County. (Act Mar. 31, 1915.)

SECTION 1. That all cities of the third class wherein the title to the waterworks therein located is in the name of the city, shall have the right, and are hereby authorized and empowered, to extend the water pipes and improvements of any such waterworks, beyond the bounds of the cities wherein they are located, into the county and municipalities of the county in the vicinity of such cities; and to furnish water to any and all corporations, institutions, persons, and municipalities in the counties in which said cities are located, under and in pursuance of the laws, rules, and regulations now existing or to be hereafter enacted governing cities of the third class. This section does not authorize a city of the third class to extend water pipes or supply water in territory outside the boundaries of such cities, which territory is being supplied with water by a private company.

Water Supplies—Certain Townships Authorized to Arrange for, with Other Municipalities. (Act Apr. 9, 1915.)

SECTION 1. That any township of the first class is empowered to contract with any adjoining municipality, owning a waterworks system, for a supply of water for public and private uses, to be delivered into the lines of the township at or near the boundary thereof.

This section does not authorize a contract between a township of the first class and a municipality for the supply of water in territory being supplied by a private company.

SEC. 2. A township making such contract may, by ordinance, provide and regulate and protect a system of distribution of the water. After a certified copy of the plans and surveys for such system, with a description of the sources from which it is proposed to derive the supply, are filed in the department of health, and a written permit for the construction of such system obtained from the commissioner of health, in accordance with the provisions of the act of April 22, 1905, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

SEC. 3. In providing for regulating and protecting and extending its system of distribution of water, the township may occupy public highways; and may take, injure, or destroy private property, compensation for which taking, injury, or destruction to be made or secured as hereinafter in this act provided. No highway under the jurisdiction of the State highway department shall be occupied until a permit therefor has been obtained from the State highway department. Property belonging to or used as a cemetery, or a place of public

worship, or any public or parochial school, or other educational or charitable institution or seminary, shall not be taken, injured, or destroyed by virtue of this act.

SEC. 4. If the compensation and damages arising from such taking, injury, or destruction of private property can not be agreed upon, the township may tender its bond as security to the party claiming or entitled to any damages, or to the attorney or agent of any absent person, or to the agent or other officer of a corporation, or to the guardian or committee of any person under legal incapacity. The condition of the bond shall be, that the township shall pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon or assessed in the manner provided in this act. In case the party or parties claiming damages refuse or do not accept the security so tendered, the township shall then give the party, his or their agent, attorney, guardian, or committee at least 10 days' written notice of the time when the same will be presented to the court of common pleas for approval. Thereafter the township may present its bond to the court and when approved the said bond shall be filed in court for the benefit of those interested; and recovery may be had thereon for the amount of damages finally determined if the same be not paid or can not be made by execution on the judgment in the issue formed to try the question; and upon the approval of said security the township may enter into possession, take, hold, use, and enjoy said land for the purpose aforesaid forever.

SEC. 5. In case the compensation or damages accruing from such taking, injury, or destruction has not been agreed upon by the parties in interest, the court of common pleas, or any law judge thereof in vacation, on application thereto by the township or any person interested in such property, shall appoint three members of the board of viewers of the county as a board of view, and appoint a time, not less than 10 nor more than 20 days thereafter, when the board of view shall meet upon the property and view the same and the premises affected thereby. The board of view shall give at least 5 days' personal notice of the time of their first meeting, upon the owners, agents, attorneys, or representatives thereof, if the same reside within the county; otherwise, by handbills posted upon the premises, or by such other notice as the court shall direct. The board of view, having been duly sworn or affirmed faithfully, justly, and impartially to decide and true report to make concerning all matters and things submitted to them in relation to which they are authorized to inquire under the provisions of this act; and having viewed the premises or examined the property, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages for the property taken, used, or appropriated, and to whom the same are payable. They shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when the board of view will meet and exhibit said report and hear any exceptions thereto. After making whatever changes are deemed necessary and proper, the board of view shall make report to the court, showing the damages, if any are allowed; and file therewith a plan showing the properties taken, injured, or destroyed, and the names of the persons to whom such damages are payable.

SEC. 6. When the report of the board of view, or any two of them, is filed in court, any party may, within 30 days thereafter, file exceptions to the same; and the court may confirm the report, or modify, change, or otherwise correct it, or refer it back to the same or new viewers, with like power as to their report. Or within 30 days from the filing of any report in court, any party whose prop-

erty is so taken, used, or appropriated may appeal to the court of common pleas of the county and demand a trial by jury. Any party interested therein may, within 30 days after final decree, have an appeal to the superior or the supreme court. If no exceptions are filed or no demand made for trial by jury within the said 30 days after the filing of said report, the same shall become absolute. The court may order what notices shall be given in connection with any part of said proceedings, and may make all such orders as it may deem requisite.

SEC. 7. The board of view provided for in this act may be appointed before or at any time after the entry, taking, or appropriation of any property to be used for the purpose aforesaid. They shall have power to administer oaths and adjourn their hearings from day to day as they may find necessary.

SEC. 8. The costs of the board of view, and all court costs incurred in the proceedings, including advertising and printing and posting notices, shall be defrayed by the township.

SEC. 9. All damages, when determined, shall be assessed against and paid by the township so taking, injuring, or destroying the property as aforesaid.

Sewers Constructed at Public Expense—Property Abutting—Boroughs Authorized to Collect Annual Assessment From. (Act May 11, 1915.)

SECTION 1. That whenever any borough of the Commonwealth of Pennsylvania has heretofore constructed, or shall hereafter construct, any sewer or sewer system, at public expense, the council of the said borough may provide by ordinance for the collection of an annual rental or charge, for the use of such sewer or sewer system, from the owners of property served by it. Such annual rental or charge shall be authorized and collected as provided by general ordinances, and when so levied and charged shall be a lien on the properties charged, and the collection thereof shall be made and enforced in the manner borough taxes are now collected.

SEC. 2. The councils of said boroughs shall execute a warrant, or warrants, authorizing the collection of the said annual sewer rentals or charges, to the officer employed by council to collect the same, and the officer collecting the said rentals shall have the authority now vested by law in collection of borough taxes.

SEC. 3. The said annual sewer rentals or charges shall be a lien on the properties charged with the payment thereof, from the date set in the said ordinance, and if not paid after 30 days' notice may be collected by an action in assumpsit, in the name of the borough, against the owner of the property charged, or by distress of personal property on the premises, or by a lien filed in the nature of a tax lien.

SEC. 4. The said annual rental, so to be levied and charged as herein provided, shall not exceed the amount expended annually by the said boroughs in the maintenance, repair, alteration, inspection, or other expense in relation thereto, and may include any interest on money expended by the said borough in the construction of the said sewer or sewer system. The said annual sum shall be apportioned equitably among the several properties served by the said sewers.

Sewers and Sewage-Disposal Plants in Counties—Construction and Maintenance—Connections with. Sewer Districts. (Act June 5, 1915.)

SECTION 1. That the several counties of this Commonwealth shall have the power, and they are hereby authorized, whenever the commissioners, or a majority of them, shall, by resolution duly adopted, deem it expedient so to do, and

upon approval thereof by a grand jury and by the court of quarter sessions as hereinafter provided, to construct and maintain main, or trunk, sanitary sewers, and sewerage-disposal [sic] plants, under the provisions of this act; and any such main, or trunk, sewers, or disposal plants, constructed under the provisions of this act, shall forever thereafter be county sewers and disposal plants; and the duty of maintaining, operating, and keeping the same in repair shall devolve upon the county, and the expense thereof shall be paid by the county as hereinafter provided.

SEC. 2. That the several courts of quarter sessions of this Commonwealth shall have authority, within their respective counties, to establish sewer districts in their several counties, or to decree that the said county shall form one or more sewerage districts, having respect to the topography of the county and the course of natural drainage, upon application of the county commissioners, or upon petition of 50 freeholders resident in the locality for which a sewer district is prayed for; and upon the presentation of such petition the court shall appoint three viewers—for whom the county engineer shall act as artist—to inquire into the propriety of granting the prayer of the petition, whose duty shall be to investigate the same and make a plan or draft showing the boundaries of sewer districts formed, and report at a date to be fixed by said court; at which time, or any subsequent time to which said return day may be extended by the court, said report shall be filed and confined nisi by the court; and notice of said filing, and that exceptions may be filed to said report within 30 days after said confirmation nisi, shall be published in one or more newspapers of the county, as the court may designate, once a week for four weeks; and if exceptions be filed upon hearing thereof, said court may modify or change said report, or readjust the boundary lines thereof, or refer the same back to the same or other viewers; and if no sufficient cause be shown to the contrary, said report shall be approved absolutely, and said district or districts so formed shall comprise separate sewerage districts of said county, and be designated by number.

SEC. 3. Whenever the commissioners of any county of this Commonwealth shall resolve to construct any such main or trunk sewers or sewerage-disposal plants in accordance with the provisions of this act, they shall cause to be prepared surveys and plans of such main or trunk sewers or disposal plants showing the location, termini, size, depth, and type of construction of such sewer or sewers, and the location, size, and type of construction of such disposal plants, together with the properties and the names of the owners thereof through which said sewer or sewers extend, or upon which the same abuts, and the properties and names of the owners of the land upon which such disposal plants are to be located or upon which the same abuts, together with an estimate of the cost and expense of the same. The plans and estimates shall show the location and capacity of any main or trunk sanitary sewer or sewers or sewerage-disposal plant, either completed or in course of construction, together with the cost or probable cost thereof. The estimates shall provide for and make such allowance or rebate to the municipality or municipalities which shall have paid, assumed, or contracted for the cost of such main or trunk sanitary sewer or sewers or disposal plants as shall be agreed upon between the county and the municipality or municipalities interested; and, in the event of failure so to agree, the allowance or rebate shall be determined by the court of common pleas of the proper county upon application of either party. The county commissioners shall, thereupon, present such surveys, plans, and estimates, or a copy thereof, together with their petition, to the court of quarter sessions of the county, and, upon filing thereof, the court shall direct notice to be given of the same, substantially describing the line of the proposed sewer

or sewers and the location of the proposed disposal plants by publication, at least once a week for three consecutive weeks, in at least two newspapers of general circulation published in the county wherein said proposed sewers or disposal plants are to be made or constructed, and of the time when said application will be laid before the grand jury; and, after publication as aforesaid, the said court shall cause the said application to be laid before the grand jury, when in session; and if a majority of said grand jury, after a full investigation of the matter by the grand jury, shall approve the same, they shall certify their approval to the court; whereupon the court shall fix such time for filing exceptions to said proceedings as the court shall deem proper, and upon hearing thereof the said court may, for a cause shown, disallow such application; but, if no sufficient cause be shown to the contrary, said application shall be approved; and said court shall, thereupon, order that said sewers or sewerage-disposal plants shall be made and constructed in accordance with the plans and surveys accompanying the said application; and thereupon the location of such sewers and sewerage-disposal plants shall remain absolute.

SEC. 4. After such plans and specifications have been prepared by said county commissioners and before presentation thereof to the court or grand jury, as provided for in section 3 of this act, they shall be submitted to the State department of health; and approval by said State department of health of the same shall be first had in accordance with the act of assembly of April 22, 1905, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

SEC. 5. For the purpose of making all necessary preliminary surveys in order to prepare such plans, surveys, and estimates, the commissioners of the several counties of this Commonwealth, and the persons by them employed for such purposes, shall, and are hereby given the right to, enter upon private or public property and designate, by proper marks upon the ground, the line or location of any sewer or disposal plant proposed to be made and constructed under and for the purpose authorized in this act.

SEC. 6. When said application, surveys, and plans shall have been finally approved by such court, and said sewer or disposal plant ordered to be constructed as aforesaid, the said county commissioners, or a majority of them, shall endeavor to agree with the persons or parties interested in the properties affected thereby as to the damages, if any, sustained, or which seem likely to be sustained, by reason of the taking, injuring, or destroying such property; and upon agreement being made, the said commissioners shall report the same to such court, showing the amount of damages agreed to be paid and the names of the persons or parties to whom the same are payable; and upon the approval thereof by such court, the said damages shall be payable by said commissioners out of the moneys specifically raised for such purposes in the manner herein-after provided.

SEC. 7. In case the said commissioners, or a majority of them, and the parties interested in the land upon which such sewers or disposal plants shall or are to be made and constructed as aforesaid fail to agree upon the compensation to be made for the property so taken, injured, or destroyed by reason of such sewer or disposal plant, then, upon petition of such commissioners, or a majority of them, or any person or parties interested in said proposed sewer or disposal plant, and whose property or land is affected thereby, to a court of common pleas of said county, the said court of common pleas shall appoint three disinterested viewers, and appoint a time, not less than 20 nor more than 30 days thereafter, when said viewers shall meet upon the line of the proposed sewers or disposal plants and view the same and the properties affected thereby. The said viewers

shall give at least 10 days' notice by publication in the newspapers aforesaid of the time and place of their first meeting, and shall also give notice thereof by handbills posted in conspicuous places along the line or in the vicinity of the said sewers or disposal plants.

SEC. 8. The said viewers, having been sworn or affirmed faithfully, justly, and impartially to decide and true report make concerning all matters and things to be submitted to them, and in relation to which they are authorized to inquire under the provisions of this act; and, having viewed the properites connected with and affected by the said proposed sewers or disposal plants, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages, if any, for the property taken, used, or appropriated, and to whom the same are payable; they shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when said viewers will meet and exhibit their report and hear any exceptions thereto; after making whatever changes are deemed necessary and proper, said viewers shall make report to the said court, showing the damages, if any, allowed; and file therewith a plan showing the properties acquired, taken, used, and appropriated for the purposes aforesaid, and the names of the persons or parties to whom such damages are payable. The said viewers shall have the right to adjourn from day to day, as may be found necessary, and to administer oaths to all parties and witnesses appearing before them and desiring to be heard upon all matters connected with the construction, maintenance, and operation of such sewers or disposal plants.

SEC. 9. All damages found, awarded, or sustained for, or on account of, the construction and operation of such sewers, or disposal plants under the provisions of this act, and all cost and expense thereafter incurred in repairing and maintaining the same, shall be paid from the funds raised by taxation, as hereinafter provided and authorized.

SEC. 10. The viewers provided for in the foregoing sections may be appointed before, or at any time after, the entry, taking, appropriation, or injury of any private property used and acquired in the construction of such sewers or disposal plants. The cost of the said viewers, and of court charges incurred, including all advertising and notices, shall be paid by the said county.

SEC. 11. Upon the report of said viewers, or a majority of them, being filed in said court, any party in interest may, within 30 days thereafter, file exceptions to the same; and the court shall have the power to confirm said report, or to modify, change, or otherwise correct and amend the same, or refer the same back to the same or new viewers, with like power as to their report; or, within 30 days after the filing of any report in court, the county commissioners, on behalf of the county or any party whose property is taken, injured, or destroyed, may appeal therefrom and demand a trial by jury; and any party so interested may, within 30 days after final decree and confirmation of said report by said court, have an appeal to the supreme or superior court. That said court of common pleas shall have power to order and direct what notices shall be given in connection with any part of said proceedings, and make such orders as it may deem requisite in the premises. For the purposes of this act it shall be lawful for the majority of said board of viewers to hear, determine, pass upon, and report all matters in this act relating to said viewers; but all said viewers shall act unless prevented by sickness or other unavoidable cause.

SEC. 12. After said surveys and plans and the aforesaid application to the court of quarter sessions shall have been approved by the court, and the said sewers or disposal plants, as decreed by said court, ordered to be made and

constructed in accordance therewith, the commissioners, or a majority of them, of the respective counties wherein the said sewers or disposal plants are made or to be made and constructed, shall invite proposals for the making and constructing of the same, by publication in at least two newspapers of general circulation published in said county; or, if no newspapers be published in said county, then in a newspaper or newspapers published in the county adjoining, once a week for four consecutive weeks, fixing a time therein when such proposals will be opened and the contracts therefor awarded; in addition to the notices so ordered to be given by publication, there shall be posted, in the office of the said commissioners of the respective counties, like notice as those now give, inviting proposals for the construction and repair of public roads and bridges; the contract, as aforesaid, shall be awarded by the said county commissioners, or a majority of them, to the lowest responsible bidder. No contract shall be awarded for any of said sewers or disposal plants until proper bonds shall be given for the faithful performance thereof, by the person or persons to whom the same shall be awarded, with proper security to be approved by said commissioners, or a majority of them. Any incorporated company doing business within any of said counties, authorized by law to be surety for persons or corporations, may be taken and accepted as surety upon the bonds herein required to be given.

SEC. 13. Said commissioners shall have prepared plans and estimates, as often as required, for the repair and maintenance of all county sewers, or disposal plants which may hereafter be constructed under the provisions of this act, and become county sewers or disposal plants in their respective counties; they shall invite proposals for the repairing and maintenance of such sewer or disposal plants, or parts thereof, in accordance with such plans and estimates, and award the contract therefor in like manner as contracts for new sewers and disposal plants.

SEC. 14. For the purpose of performing all necessary duties relating to the construction and repairs of county sewers and disposal plants, herein authorized, the said county commissioners, or a majority of them, of the several counties of this Commonwealth, are hereby authorized to employ or appoint proper persons to prepare such surveys, plans and estimates, and do all necessary and proper work connected therewith, and shall fix the compensation of all persons so employed.

SEC. 15. The said commissioners, or a majority of them, of the several counties of this Commonwealth, are hereby authorized to levy, assess, and collect an annual tax of not more than 2 mills upon the dollar upon all real and personal property within said county, now or hereafter taxable for county purposes, where the court has decreed that the entire county shall form one sewer district, for the purpose of acquiring and securing a fund from which to pay all costs, damages, and expenses required in the locating, construction, maintaining, repairing, and operating of such county sewers or disposal plants made or constructed under the provisions of this act, and for taking, using, and enjoying of such land as may be necessary in constructing same; and the money so raised shall not be used or expended for any other purpose than that named in this section. Where one or more sewer districts has been formed by the court, under the provisions of this act, in any county, and the county does not comprise one entire sewer district, and county sewers or disposal plants are constructed, under the provisions of this act, to accommodate a particular sewer district of said county, the said commissioners, or a majority of them, of such counties are hereby authorized to have prepared separate copies of the assessed

value, for county purposes, of the properties located within the sewer district wherein, or for whose use, such sewer or disposal plant has been constructed; and to levy, assess, and collect an annual tax of not more than 2 mills upon the dollar upon all real and personal property within said sewer district, now or hereafter taxable for county purposes, for the purpose of acquiring and securing a fund from which to pay all costs, damages, and expenses required in the locating, constructing, maintaining, and operating of such county sewer or disposal plant, in, or for the benefit of, said sewer district; and the money so raised shall not be used, or expended, for any other purpose than that named in this section, and shall not be expended or used for any other sewer district. All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued by the said commissioners, or a majority of them, in the manner now provided by law in the several counties, upon estimates which shall be made from time to time, by the person charged with such duty; and the amount, and time within which the same shall be paid, shall be fixed and determined in the contract made for the public work herein authorized.

SEC. 16. Should any board of county commissioners, in the exercise of the powers herein conferred, deem it necessary or advisable to enter upon a highway or highways in any city, borough, or township for the purpose of constructing or maintaining any such main, or trunk, sewer or sewers, or disposal plants, the consent thereto of such city, borough, or township shall first be had and obtained.

SEC. 17. All main, or trunk, sewers constructed under this act shall be of sufficient size and extent so that it shall not be burdensome upon any city, borough, or township which is wholly or partly within the sewer district in which said main, or trunk, sewer is constructed, to connect its lateral sewers with said main, or trunk, sewer, constructed under the provisions of this act; and a copy of the notice provided for under section 3 of this act shall be served upon the mayor, burgess, commissioners, or supervisors of such city, borough, or township forming any part of such sewer district, 10 days before said application shall be laid before the grand jury; and any such city, borough, or township shall have a right to be heard by said grand jury, and to file exceptions to said proceedings; and the approval of said application by the grand jury and by the court shall be a conclusive finding that the said main sewers, proposed to be constructed under said proceeding, are of sufficient size and extent, so that the connection thereto by any such city, borough, or township will not be burdensome upon said city, borough, or township.

SEC. 18. After the construction of such main, or trunk, sewer, any city, borough, or township shall have the right, free of charge, to connect with said main, or trunk, sewer, by laterals, all sanitary sewerage of the sewer district in which said main, or trunk, sewer, is located, or for the use of which the same has been constructed; but all such connections shall be made under the supervision of the county engineer, and in the manner prescribed by the county commissioners.

SEC. 19. Any owner of property abutting on said main, or trunk, sewer shall have the right, free of charge, to connect, by lateral sewers, all sanitary sewerage of his said property within said sewer district; but such connections shall be made under the supervision of the county engineer, and in the manner prescribed by the county commissioners.

SEC. 20. Wherever any main, or trunk, sewer, or portion thereof, or sewerage-disposal plant, constructed under the provisions of this act, is used for the carrying or disposal of sewerage from two or more sewer districts, the cost,

damages, and expenses of locating, constructing, maintaining, repairing, and operating the same shall be borne by all sewer districts so using said main sewer, or portion thereof, or disposal plant, in proportion to their annual assessed taxable valuation for county purposes; but no sewer district shall be taxed for any main, or trunk, sewer, or portion thereof, or disposal plant, until said district has been accommodated with a main, or trunk, sewer, constructed under the provisions of this act, so that connections therewith can be made in said sewer districts without expenses burdensome upon cities, boroughs, or townships forming said sewer district.

SEC. 21. Whenever, in the location or construction of any such county sewers, it shall be deemed desirable to connect with and use any main or trunk sewer or portion thereof of any city, borough, or township it shall be lawful for the commissioners of the county, subject to the approval of the court of quarter sessions, to agree with such city, borough, or township for the use and repair and maintenance of such sewer or sewers or portions thereof, and what compensation shall be paid therefor or in what proportions the cost of maintenance and repairs shall be borne.

Nurses—Registration—Certificate—Duplicate to be Filed in Office of State Commissioner of Health. (Act June 4, 1915.)

SEC. 1. That section 4 of the act, entitled "An act to provide for State registration of nurses, to establish a State board of examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration," approved the 1st day of May, 1909, which reads as follows:

"SEC. 4. The secretary, immediately upon the registration of every nurse, shall file in the office of the secretary of the Commonwealth, under the seal of the said board of examiners, an exact counterpart of the certificate issued to the holder thereof; and said counterpart shall be filed and indexed in the office of the secretary of the Commonwealth and kept by him for public inspection and information. If the secretary of the board neglect to file said counterpart, as aforesaid, for more than 20 days from the date of issue of the corresponding certificate, unless prevented therefrom by sickness or other unavoidable inability, the said secretary shall be held guilty of a breach of duty and shall forfeit his or her membership and his or her offices in the said board of examiners," is hereby amended to read as follows:

SEC. 4. The secretary, immediately upon the registration of every nurse, shall file in the office of the *State commissioner of health*, under the seal of the said board of examiners, an exact counterpart of the certificate issued to the holder thereof; and said counterpart shall be filed and indexed in the office of the *State commissioner of health*, and kept by him for public inspection and information. If the secretary of the board neglect to file said counterpart, as aforesaid, for more than 20 days from the date of issue of the corresponding certificate, unless prevented therefrom by sickness or other unavoidable inability, the said secretary shall be held guilty of a breach of duty and shall forfeit his or her membership and his or her offices in the said board of examiners.

The nurses' registration records now in the office of the secretary of the Commonwealth shall, upon the approval of this amendment, be transferred to the office of the commissioner of health.

* * * * *

Mausoleums, Vaults, Etc.—Prohibited in Certain Cities When Building Containing is Wholly or Partially Above Surface of Ground. (Act June 1, 1915.)

SECTION 1. That no person, firm, or corporation shall hereafter, in cities of the second class, commence, build, construct, or erect any public or community vault or mausoleum—that is to say, vaults, crypts, or mausoleums, wherein such vaults, crypts, or parts of mausoleums, are intended to be sold or offered for sale to the public—for the interment therein of human bodies, where such public or community vaults, crypts, or mausoleums are in a building or buildings wholly or partially above the surface of the ground.

Mattresses—Making, Leasing, and Sale. Secondhand Mattresses—Labeling. (Act May 14, 1915.)

SECTION 1. That section 2 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this act; making certain acts criminal, and punishing the same; imposing certain duties upon the commissioner of health and the chief factory inspector; and repealing legislation inconsistent with this act," approved the 1st day of May, A. D. 1913, * * *, be and the same is hereby amended to read as follows:

SEC. 2. (1) No person or corporation, by himself or his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattress:

(a) Any material of any kind that has been used in, or has formed a part of, any mattress used for or about any person having any infectious or contagious disease;

(b) Any material known as "shoddy," and made in whole or in part from old or worn clothing, carpets, or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed;

(c) Any material, not otherwise prohibited by this act, of which prior use has been made, unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the commissioner of health of this Commonwealth.

(2) No person or corporation, by himself or by his agents, servants, or employees, shall sell, *lease*, offer to sell, or *lease* or deliver, or consign in *sale* or *lease*, or have in his possession with intent to sell, *lease*, deliver, or consign in *sale* or *lease*:

(a) Any mattress that has been used for or about any person having any infectious or contagious disease;

(b) Any mattress made, remade, or renovated in violation of subsection one of this section;

(c) Any mattress, not otherwise prohibited by this act, of which prior use has been made, unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the commissioner of health of this Commonwealth.

SEC. 2. That section 3 of said act * * * be and the same is hereby amended to read as follows:

SEC. 3. (1) No person or corporation, by himself or by his agents, servants, or employees, shall, directly or indirectly, at wholesale or retail, or otherwise,

sell, lease, offer to sell or lease, or consign in sale or lease, or have in their possession with intent to sell or lease, or consign in sale or lease, any mattress that shall not have plainly and indelibly written or printed thereon, or upon a plain muslin or linen tag securely sewed to the covering thereof, a statement in the English language setting forth:

(a) The materials used in filling said mattress, and whether the same are, in whole or in part, new or old;

(b) The name and address of the maker, vendor, or successive vendors;

(c) And, upon a mattress of which prior use has been made, the words "secondhand," together with the date of sterilization and disinfection, and the name and address of the person or corporation sterilizing or disinfecting the same.

No additional information shall be contained in said statement.

(2) No person or corporation, by himself or by his agents, servants, or employees, shall place upon any mattress the statements required by subsection 1 (a) and (b) of this section unless said mattress has been made, remade, or renovated by him in accordance with this act; and no person or corporation, by himself or his agents, servants, or employees, shall place upon any mattress the statements required by subsection 1 (c) of this section unless the said mattress has been sterilized and disinfected by him in accordance with this act: Provided, That the vendor, in either case, shall insert his name and address in the statement.

SEC. 3. That section 6 of said act * * * be and the same is hereby amended to read as follows:

SEC. 6. The statement required under section 3 of this act shall be not less than 3 by 4½ inches in size, and in form shall be as follows:

OFFICIAL STATEMENT.

Materials used in filling-----

Made by-----

Address-----

Vendor-----

Address-----

This article is made in compliance with the act of Assembly of Pennsylvania approved the 1st day of May, 1913, as amended.

TEXAS.

Watercourses—Prevention of Pollution. (Act Feb. 25, 1915.)

Section 1 of the act of March 27, 1913,¹ which was published in the Public Health Reports October 24, 1913, page 2275, was amended to read as follows (new matter added by the amendment is shown by italics):

"SECTION 1. That it shall be unlawful for any person, firm, or corporation, private or municipal, to pollute any watercourse, or other public body of water, from which water is taken for the uses of farm, live stock, drinking, and domestic purposes, in the State of Texas, by the discharge, directly or indirectly, of any sewage or unclean water or unclean or polluting matter or thing therein,

¹ Reprint No. 264, p. 474.

or in such proximity thereto as that it will probably reach and pollute the waters of such watercourse or other public body of water from which water is taken, for the uses of farm, live stock, drinking, and domestic purposes: *Provided, however, That the provisions of this bill shall not affect any municipal corporation situated on tide water; that is to say, where the tide ebbs and flows in such watercourse.* A violation of this provision shall be punished by a fine of not less than \$100 and not more than \$1,000. When the offense shall have been committed by a firm, partnership, or association, each member thereof who has knowledge of the commission of such offense shall be held guilty. When committed by a private corporation, the officers and members of the board of directors having knowledge of the commission of such offense shall each be deemed guilty; and when by a municipal corporation, the mayor and each member of the board of aldermen or commission having knowledge of the commission of such offense, as the case may be, shall be held guilty as representatives of the municipality; and each person so indicated as above shall be subject to the punishment provided hereinbefore: *Provided, however, That the payment of the fine by one of the persons so named shall be a satisfaction of the penalty as against his associates for the offenses for which he may have been convicted: Provided, The provisions of this act shall not apply to any place or premises located without the limits of an incorporated town or city, nor to manufacturing plants whose affluents contain no organic matter that will putrify, or any poisonous compounds, or any bacteria dangerous to public health or destructive of the fish life of streams or other public bodies of water."*

MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

CLEVELAND, OHIO.

Milk and Milk Products—Production, Care, and Sale. Bureau of Dairy and Food Inspection Created. (Ord. 34648-A, June 21, 1915.)

SECTION 1. That there be and is hereby created in the department of public welfare, division of health, a bureau of dairy and food inspection. The chief of the bureau of dairy and food inspection shall be a graduate in veterinary medicine, and shall, under the direction of the commissioner of health, enforce the provisions of this ordinance.

SEC. 2. The term "dairy inspector" as used herein refers to any person delegated by the commissioner of health to inspect dairies, milk houses, and other places and conditions relative to the production, transportation, and sale of milk.

The term "food inspector" refers to any person delegated by the commissioner of health to inspect any place where food is manufactured, stored, transported, sold, or consumed and other places and conditions relative to the production, transportation, and sale of food.

The term "meat inspector" refers to any person delegated by the commissioner of health to inspect slaughterhouses, meat shops, and other places and conditions relative to the slaughtering, transportation, and sale of meat.

The words "dairy inspector," "food inspector," "meat inspector," and "chief of the bureau," includes "or authorized assistant thereof."

SEC. 3. No person shall bring or ship into the city for sale, or shall sell or offer for sale in the city any milk, cream, or butter fat without first securing a permit therefor from the division of health. Such permit shall bear the signature of the commissioner of health.

SEC. 4. No person, firm, or corporation shall be licensed to bring or ship into the city for sale, or sell or offer for sale milk in the city unless the dairy, creamery, condensory, or place of business operated or controlled by such person, firm, or corporation shall be maintained and operated as provided in this ordinance, and the permit therefor shall be revoked by order of the chief of the bureau whenever such creamery, dairy, condensory, or place of business shall be maintained or operated in violation of any of the provisions of this ordinance.

SEC. 5. The bureau of dairy and food inspection shall once each month, or more frequently if deemed necessary, inspect every vehicle or place in which and from which milk is produced, stored, sold, or delivered.

The bureau of dairy and food inspection shall, once each month or more frequently if deemed necessary, take sample of milk from every person, firm, or corporation that sells or offers for sale any milk, and shall subject such samples to such analysis as may be deemed necessary and proper.

SEC. 6. The bureau of dairy and food inspection, upon receiving application from any dairyman, milk dealer, or other person, firm, or corporation for a permit for the sale of milk, cream, butter fat, or other milk products, shall first

ascertain the name and address of said dairyman, milk dealer, or other person, firm, or corporation and the names and addresses of all persons from whom said dairyman, milk dealer, or other person, firm, or corporation procures milk, cream, butter fat, or other milk products, and the chief of the bureau shall be notified and given a list of the same.

SEC. 7. The chief of the bureau, upon receiving such notification, shall have the premises and place of business of said dairyman, milk dealer, or other person inspected and shall ascertain to what extent the premises meet the conditions imposed by this ordinance, and likewise, upon receiving notification that any person is supplying milk, cream, butter fat, or other milk products which is brought into the city for sale, shall have the premises of such person inspected and shall ascertain to what extent the premises meet the conditions imposed by this ordinance.

SEC. 8. The bureau of dairy and food inspection shall keep and file a suitable record of all inspections and analyses provided for in this ordinance.

SEC. 9. Dairy inspectors shall, under the direction of the commissioner of health and the chief of the bureau, inspect dairies, milk houses, and other places and conditions relative to the production, transportation and sale of milk, cream, butter fat, and other milk products, and shall perform all duties and carry out all orders and ordinances as herein set forth, or as otherwise directed by the chief of the bureau of dairy and food inspection or the commissioner of health.

SEC. 10. No milk, skimmed milk, cream, butter fat, or condensed milk and other milk products other than in hermetically sealed cans shall be sold or offered for sale or brought into the city for sale unless it shall have come from a creamery, dairy, condensory, or place of business operated, controlled or owned by a person, firm, or corporation licensed according to the foregoing provisions, to ship or sell said aforementioned products in the city of Cleveland.

SEC. 11. No person shall bring into the city for sale or shall sell or offer for sale any milk—

- (a) Containing more than 88.5 per cent of water or fluids.
- (b) Containing less than 11.5 per cent of milk solids.
- (c) Containing less than 3 per cent of milk fats.
- (d) From which any part of the cream has been removed.
- (e) Having a specific gravity of less than 1.029.
- (f) Containing any boracic or salicylic acid, formaldehyde, or other foreign chemicals or preservatives.
- (g) Containing any pathogenic bacteria.
- (h) Containing bacteria of any kind (more than 500,000 per cubic centimeter).
- (i) Drawn from any cow having a communicable disease, or from a herd which contains any diseased cattle, or cattle exposed to a communicable disease, or from a herd, the attendants of which are affected with or have been exposed to any communicable disease.
- (j) Drawn from any cow within 15 days before or 6 days after parturition.
- (k) Drawn from any cow which has been fed on garbage, refuse, swill, moist distillery waste, or other improper food.
- (l) Having a temperature of or which has been kept at a temperature higher than 55° F., or lower than 34° F.
- (m) Which has existed or has been kept under conditions contrary to this ordinance.

The five subdivisions *a*, *b*, *c*, *d*, and *e* of this section shall not apply to milk sold under the name of "skimmed milk," as provided in this ordinance.

SEC. 12. No person, firm, corporation, company, dairyman, creamery, cheese factory, or dealer shall ship or bring into the city, sell or offer for sale any milk, cream, butter fat, or other milk products, which after determination, as provided in this section, shall be graded as dirty or filthy.

For the determination of the dirt content milk samples (approximately one-half pint) shall be passed through a filter consisting of an absorbent cotton disk, free from sizing, one-eighth of an inch in thickness and with a filtering surface of three-fourths to one inch in diameter.

The products of the filtration shall be graded as follows:

(1) Clean milk shall be that which does not leave on the cotton more than six particles of foreign matter large enough to be visible without magnification, and which does not tint or color the cotton except with fat.

(2) Fairly clean milk shall be that containing more foreign matter than is permitted in clean milk, but which does not contain hairs, flies, or more than six particles of other than fecal matter, with a dimension greater than 1 millimeter and less than 5 millimeters, and which does not leave on the filter areas greater than 5 millimeters square covered or tinted with dirt sufficient to be distinct without magnification.

(3) Dirty milk shall be that which contains more dirt than is permitted in that graded as fairly clean. It shall be that which contains dust, dirt, hair, and particles of fecal matter not over 5 millimeters in dimension. It shall not contain flies or sufficient dust, dirt, hairs, or small particles of fecal matter to obscure the cotton.

(4) Filthy milk shall include all dirty milk in which the cotton is obscured by dirt, or which contains insects, bits of fecal matter with a dimension greater than 5 millimeters, straw, flies, and other foreign objects.

SEC. 13. No person, firm, or corporation shall bring into the city of Cleveland for sale, or shall sell, or offer for sale, or have in his possession with intent to sell, cream to which any foreign substance has been added, or which contains less than 18 per cent of butter fat.

SEC. 14. No person, firm, or corporation shall bring into the city for sale, or sell, or offer for sale, any so-called skimmed milk containing less than 9 per cent of milk solids.

SEC. 15. No person shall bring into the city for sale, or sell or offer for sale, milk from which the cream has been removed, either in part, or in whole, unless sold as skimmed milk, and unless on both sides of the vehicle from which such milk is sold, in letters not less than 1 inch in height, appear the words "Skimmed milk," or if not sold from a vehicle, upon each and every vessel from which such milk is sold, there be displayed in plain and legible manner the words "Skimmed milk."

SEC. 16. The milk house, dairy, or other place in which milk for sale is handled or stored shall be located not less than 15 feet from any water-closet or privy vault or cesspool, or any horse or cow stable or any chicken or poultry yard or coop, and the milk house, dairy, or other place shall be a room which is not used for any other purpose than the handling and storing of milk, shall not connect by door or window with any other door or compartment whatever, and shall not be located in any cellar or basement. The portion thereof used for washing bottles and utensils shall be separated from the portion used for the storage of milk by a sound partition which shall reach to the ceiling, and such milk house, depot, dairy, or other place for the sale and handling of milk, cream, butter fat, or other milk products shall at all times be kept absolutely clean and sanitary, and all articles unnecessary for the care and handling of the milk shall not be kept in such milk house, room, depot, or dairy, nor shall

any article other than milk or its products be stored there or offered for sale therefrom.

SEC. 17. On and after January 1, 1916, no person, firm, or corporation shall bring into the city of Cleveland or shall within said city sell or offer for sale, expose for sale, dispose of, exchange, or deliver, or have in its possession with intent to do as aforesaid any milk, skimmed milk, cream, buttermilk, or milk prepared by fermentation or other process, unless such milk, skimmed milk, cream, or the milk or cream contained in the buttermilk or milk prepared by fermentation or other process, is clarified or filtered and is pasteurized before delivered for consumption as food according to the rules and regulations prescribed in this ordinance, except as provided in section 22 hereof.

SEC. 18. The Held method of pasteurization as herein provided alone shall be used. The milk, skimmed milk, or cream shall be uniformly heated to a temperature of between 140 Fahrenheit and 146 Fahrenheit and maintained uniformly at this temperature for 30 minutes.

The milk or milk products thus pasteurized shall be cooled forthwith to a temperature of 45 degrees Fahrenheit or less. All apparatus for the purpose of clarifying, filtering, pasteurizing, and cooling shall be so constructed that all parts are readily accessible for inspection, cleansing, and sterilizing.

All pasteurizers operated for the production of pasteurized milk, skimmed milk, or cream to be sold in the city of Cleveland shall be equipped with an apparatus regulating automatically the supply of heat so as to correspond with and produce the required temperature. The automatic thermo-regulator shall be accurate and shall be approved by the commissioner of health.

A recording apparatus shall be installed upon all pasteurizers to record, during operation, the temperature of the pasteurizing product. The thermometer of this recording apparatus shall be accurate and shall be immersed in the milk in such manner that it is not exposed to escaping steam or other heat except in the heated milk and except when the pasteurizing is done in a final container, in which latter event the thermometer shall be so placed as to accurately indicate the temperature of the pasteurized product. The records made by this recording thermometer must be accurate and made on a daily chart, which shall be dated and preserved for the inspection of the health commissioner or his assistants.

The automatic thermo regulator and recording apparatus may be combined in one instrument.

SEC. 19. Pasteurized milk, or skimmed milk, shall be delivered to the consumer within 36 hours after pasteurization.

SEC. 20. No milk, skimmed milk, or cream, shall be pasteurized a second time.

SEC. 21. No person shall sell to any ultimate consumer any pasteurized milk, skimmed milk, cream, buttermilk, or milk prepared by fermentation or other process unless such milk, skimmed milk, cream, or buttermilk, or milk prepared by fermentation or other process, is contained in and sold in a tightly closed container, in which it is packed or placed after pasteurization and then closed and kept continuously closed until after sale: *Provided, however,* That cream or milk served as a flavoring for food or drink may be served in containers when taken from packages as provided in this section.

SEC. 22. Only milk which is produced and handled under the rules and regulations of the division of health, and only after the division of health is assured that it comes from cows free from disease and tuberculosis as determined by the tuberculin test and a physical examination by a qualified veterinarian, and that it is produced and handled by employees free from disease or exposure thereto,

as determined by medical inspection by a qualified physician and under sanitary conditions such that it will reach the ultimate consumer fresh and unadulterated and with not more than 50,000 living bacteria per c. c. or any pathogenic bacteria whatsoever, may be sold without being pasteurized.

SEC. 23. No person or dealer shall give, furnish, sell, or offer for sale, or deliver any milk, buttermilk, whey, sour milk, skimmed milk, or cream in quantities less than 1 gallon except in sanitary bottles, sealed with a tightly fitting cap or stopper, and except where the milk is sold at the milk house or dairy, when the same may be dipped, but such dipped milk shall not be carried on the street in any other than a covered vessel.

SEC. 24. It shall be unlawful to sell, buy, give, take, collect, traffic in, or otherwise dispose of glass milk jars or bottles having the name of a person, firm, or corporation, or association blown therein. This section shall not apply to a person, firm, or corporation whose own name is blown in such glass jar or bottle, or to a member of an association, the name of which association is blown in such glass jar or bottle, or any authorized agent or employee of such person, firm, corporation, or member of such association, or to the owner of such glass jar or bottle.

SEC. 25. The possession by any person other than the person, firm, or corporation whose name is blown in such glass jar or bottle, or a member of an association, the name of which association is blown in such glass jar or bottle, or any authorized agent or employee of such person, firm, corporation, or member of such association, or the owner of such glass jar or bottle, or any person authorized by the owner thereof to use said glass jar or bottle, shall be prima facie evidence of the said unlawful selling, buying, giving, taking, collecting, trafficking in, or otherwise disposing of said jars or bottles.

SEC. 26. No person shall bottle any milk upon any delivery wagon or vehicle, in any other place than a milk house, dairy, or other building where milk is regularly stored and sold.

SEC. 27. No person shall transfer any milk intended for sale from one can, bottle, or receptacle into another can, bottle, or receptacle on any street, alley, thoroughfare, or upon a delivery wagon or other vehicle or in any exposed place in the city of Cleveland, except in a creamery, milk depot, or in the inclosed premises of the customer of the dealer in milk.

SEC. 28. No bottle, can, or other receptacle in use as a container for any dairy product, by any person, firm, or corporation engaged in the milk or dairy business shall be used for any other purpose.

SEC. 29. No person, firm, or corporation shall sell, offer for sale, or deliver, or cause to be sold, offered for sale, or delivered from any wagon, any milk, buttermilk, whey, sour milk, skimmed milk, cream, Dutch cheese, or other milk product contained in any other package or receptacle than bottles as herein provided, unless such package or receptacle be securely closed and sealed.

SEC. 30. No person, firm, or corporation shall serve any milk to be drunk on the premises where served unless such milk is contained in individual sealed receptacles, containing only the quantity of milk intended for use of the person served.

SEC. 31. Any person in charge of premises quarantined because of contagious disease who receives or orders to be received any receptacle containing milk or other dairy products, shall immediately, upon emptying such receptacle, cause the same to be thoroughly cleaned and stored, as directed by the commissioner of health, until released as herein provided.

SEC. 32. No person shall remove from any dwelling, in which exists any case of communicable disease, any bottles or other receptacles which have been or

which are to be used for containing or storing milk, except with permission of the commissioner of health.

SEC. 33. Before the commissioner of health shall release any bottles or other receptacles from any quarantined premises he shall cause such bottles or receptacles to be thoroughly disinfected.

SEC. 34. Every person using a delivery wagon or other vehicle, in the sale or distribution of milk, shall keep the same at all times in a cleanly condition and free from any substance liable to contaminate or injure the purity of the milk.

SEC. 35. Any person using a delivery wagon or other vehicle in the sale or distribution of milk shall, from May 1 to September 30, inclusive, have and keep over said delivery wagon or other vehicle, a covering of canvas or other material so arranged as to adequately protect the contents thereof from the rays and heat of the sun.

SEC. 36. Any person, firm, corporation, or company distributing milk within the city of Cleveland shall be required to place on each vehicle used for the purpose of distributing milk its license or permit number.

SEC. 37. Any person using, in the sale or distribution of milk, a delivery wagon or other vehicle shall keep the name of the owner thereof and the number of the wagon license in letters not less than 2 inches in height upon the side of said delivery wagon or other vehicle.

SEC. 38. No person, firm, or corporation shall deliver to or receive from any person, firm, or corporation in the city of Cleveland any shipment of milk, cream, or other dairy product in any can or other receptacle which said shipment of milk or cream or other dairy product does not bear a tag or stamp containing the date and hour of the shipment and the quantity and kind thereof and the name and business address of the person, firm, or corporation making such shipment legibly written or printed on such tag or stamp.

SEC. 39. No person, firm, or corporation shall allow any milk, cream, or other dairy product to remain at any railway station, depot, or platform for a period of time longer than one hour from the time of arrival of said milk, cream, or other dairy product at said station, depot, or platform.

SEC. 40. No person, firm, or corporation shall have in its possession, or place upon any platform, or in any depot, wagon, truck, or other conveyance for shipment to the producer of milk, any can or other receptacle intended for the shipment of milk into the city of Cleveland which has been improperly washed, or which is in any way unfit as a receptacle for milk, skimmed milk, cream, or cheese.

SEC. 41. No person, firm, or corporation shall use any milk ticket more than once.

SEC. 42. No person, firm, or corporation shall bring into the city, offer for sale, or have in its possession with intent to sell, any condensed milk or cream which is from sources not inspected by the bureau of dairy and food inspection of the city of Cleveland, unless such condensed milk or cream shall be sold to the consumer in the original package bearing the label of the manufacturer thereof.

SEC. 43. The sale of milk, cream, or butter fat, wholesale or retail, from sources uninspected by the division of health of the city of Cleveland shall be prohibited.

SEC. 44. Any milk, cream, or butter fat shipped into the city of Cleveland from sources not inspected by the bureau of dairy and food inspection, division of health, or not in accord with the provisions of this ordinance, may be seized and destroyed by the bureau of dairy and food inspection, division of health.

SEC. 45. The license or permit granted under any of the provisions of this ordinance to any person, firm, or corporation may be revoked if the holder thereof shall be found guilty of a violation of any of the terms of this ordinance.

SEC. 46. Milk for shipment into the city of Cleveland shall be from farms scored in accordance with the following score card:

Health.—If all cows in the herd have passed the tuberculin test within a year, applied by an approved veterinarian with approved tuberculin, and the chart of test is shown, 5; otherwise 0----- 5

Cleanliness.—All cows clean, 5; good, 4; fair, 3; poor, 1; bad, 0----- 5

STABLES.

Location.—Well located and drained, 1; otherwise, 0----- 1

Arrangement.—No other animal stabled with cows, 1; metal stanchions or sanitary tie, 1; no partitions between cows, 1; cement mangers, 1----- 4

Construction of floors.—Cement or stone flag with adequate drop and in good repair, 5; brick or matched boards with drop and in good repair, 4; ordinary plank floor in good repair and with adequate drop, 3; half dirt and half other material with drop, 2; any material in poor repair, 1; if no floor allow 0. Deduct 2 if drop is inadequate----- 5

Ventilation.—King system, 4; ventilation chutes or muslin curtains, 3; good ventilation by doors, windows, and hay chutes, 2; poor ventilation with no chute or curtains, 1; no visible means of ventilation, 0----- 4

Cubic space per cow.—Five hundred cubic feet per cow, 3; over 400 cubic feet, 2; over 300 cubic feet, 1; less than 300 cubic feet, allow 0----- 3

Removal of manure.—Haul to field daily, 2; 30 feet from stable, 1; otherwise, 0----- 2

Stable yard.—Paved or cemented over entire area, 4; graveled or cindered and well drained, 3; grass yard or well-sloped yard well drained, 2; poor yard with no drainage, 1; muddy yard or yard with sink hole, 0----- 4

WATER SUPPLY.

For cows.—Abundant and convenient supply of pure water, supplied in metal, stone, or cement trough, 2; creek or running spring, 1; dirty, polluted, or water in which cattle can wade, 0----- 2

For cooling.—Abundant, 1, e. running spring or driven well with gas engine, 2; windmill, 1; temperature, 52° F. or below, 1; above 52°, allow 0 for temperature----- 3

MILK HOUSE.

Location.—Detached, 1; convenient for prompt cooling, 1----- 2

Construction.—Cement or tile block or sound painted lumber, 2; celled and smooth or plastered walls, 3; cement vat, 1; screens, 1; adequate drainage of floor and vat, 1; ventilation, 1; light, 1----- 10

Equipment.—Hot water, 1; proper pails used for no other purpose, 1 (deduct for rusty or galvanized pails); proper strainers, 1; Root, Reid, Star, Chilly King, or other equally efficient type of cooling, 2; Champion or other ordinary type of cooler, 1----- 5

Cleanliness.—Clean floor, 1; ledges, 1; windows, 1; nothing but milk utensils in milk house, 2; (deduct 2 points for presence of gas engine or tools)----- 5

MILK HOUSE.

Care and cleanliness of utensils.—Pails, clean and racked, 2; clean but not racked, 1; clean cooler, 2; clean strainer, 1----- 5

MILKING AND CARE OF MILK.

Cleanliness of milking.—Ordinary clean methods, 5; special suits for milking, 2; wiping udder and teats with damp cloth before milking, 3; brushing but not wiping, 1; wet milking deduct all points----- 10

Prompt cooling.—If poured from pail as soon as milked over efficient type cooler, 5; if poured into can placed in water when filled or nearly filled, 2----- 5

Efficient cooling.—Milk cooled to 55° or below within 2 hours, 5; from 55° to 60°, 4; from 60° to 65°, 3; 65° to 70°, 2; 70° to 75°, 1; above 75° allow 0----- 5

Storage.—Stored at or below 55° F., allow 5; from 55° to 60°, 4; from 60° to 65°, 3; from 65° to 70°, 2; 70° to 75°, 1; above 75° allow 0----- 5

SEC. 47. Dairies which on second inspection fail to attain a score of 65 shall not ship milk, cream, or other dairy products into the city of Cleveland: *And provided further*, That the dairy shall be equipped with a milk house as provided in section 52 of this ordinance.

SEC. 48. Any milk, skim milk, or cream intended for shipment into Cleveland shall be shipped in a can or other receptacle bearing a tag showing the name of shipper or consignee and which shall be sealed at point of shipment with a lock and chain, wire seal, or other contrivance equally efficient, and such seal shall not be broken until the can or other receptacle is in the milk depot or premises of the consignee, except, however, when deemed necessary by a duly authorized inspector of the bureau of dairy and food inspection, in which case such seal may be broken and the can or other receptacle opened in his presence.

SEC. 49. Every cow, the milk of which is intended for sale in Cleveland, shall be confined when in the stable with stanchion or other equally sanitary device.

SEC. 50. No milk shall be shipped into or sold or offered for sale in Cleveland if typhoid fever, diphtheria, scarlet fever, tuberculosis, or other communicable disease exists on the premises of the producer, creamery operator, milk hauler, retailer, or any person who handles the milk in any form.

SEC. 51. No milk or cream shall be shipped into or offered for sale in Cleveland from any dairy, farm, dealer, creamery, cheese factory, or other place if upon or in the vicinity of the premises from which said milk or cream is shipped there exists any dangerous or unsanitary condition not hereinbefore specified, which, in the opinion of the bureau, may cause or make possible the contamination of said milk or cream.

SEC. 52. No milk or cream shall be shipped into the city of Cleveland from any dairy or farm which is not provided with a milk house of sufficient capacity to adequately provide for the storage and care of the milk produced upon said farm. Such milk house shall be located on dry ground not less than 50 feet from any manure pile, privy, cesspool, vault, chicken coop or yard, hog pen, or lot. It shall be constructed with sound-tight walls and ceiling, cement floor, and vat of nonabsorbent material, both provided with proper drainage. Adequate ventilation shall be provided aside from doors and windows. Window space shall be in the ratio of at least 1 square foot of light for every 8 square feet of floor space. Doors and windows shall not directly connect with any other building and shall be provided with screens of mesh sufficiently fine to exclude flies and other insects from April 1 to November 1. Milk intended for shipment into Cleveland, directly or indirectly either as milk or cream, shall be taken immediately after being drawn from the cow, to the milk house, where it shall be handled and stored as elsewhere provided in these regulations, until it is removed for shipment. No articles which are unnecessary for the storage, handling, or care of the milk shall be kept in the milk house.

SEC. 53. Any person who shall violate or fail to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding \$200 and the cost of prosecution or imprisoned not more than 60 days, or both.

SEC. 54. Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, the same will not affect the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

[This ordinance was effective July 25, 1915.]